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10 June 1998

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LETTER DATED 9 JUNE 1998 FROM THE PERMANENT REPRESENTATIVE OF ERITREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have been instructed by my Government to bring the following issue to the attention of the Security Council through you.

We have, through you as President, and your predecessor, kept the Security Council informed of the dangerous course that the Ethiopian Government has taken by declaring all-out war against Eritrea and creating a grave threat to international security. In violation of international laws and conventions, the Ethiopian Government has publicly threatened to wage indiscriminate air strikes on all planes entering Eritrean airspace, as well as on ships calling on Eritrean ports. This irresponsible act is not only intended to cut off commercial air and sea traffic to Eritrea, but is also a direct threat to the freedom and safety of international commercial traffic. It is a direct affront to and violation of the Charter and conventions of the United Nations.

The Security Council has the responsibility to respond in the strongest terms to this flagrant violation of the Charter of the United Nations, this dangerous threat to international safety and security. We call upon the Council to condemn and do everything in its power to stop it in time. The Security Council cannot but bear full responsibility for the consequences of this act of international terrorism should it fail to do so.

I should be grateful if you would kindly circulate this message as a document of the Security Council.

(Signed) Haile MENKERIOS
Ambassador
Permanent Representative

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LETTER DATED 10 JUNE 1998 FROM THE PERMANENT REPRESENTATIVE OF ETHIOPIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you press statements issued by the Ministry of Foreign Affairs of the Federal Democratic Republic of Ethiopia on 9 June 1998 concerning Eritrea's renewed aggression against Ethiopia and its expulsion and detention of Ethiopian nationals residing in Eritrea.

These latest Eritrean actions clearly demonstrate that the regime in Asmara is bent on further escalating the conflict, while at the same time attempting to hoodwink the international community by sending self-contradictory and confusing signals regarding efforts for a peaceful resolution of the crisis.

I should be grateful if you would have the present letter and its annexes circulated as a document of the Security Council.

(Signed) Duri MOHAMMED
Ambassador
Permanent Representative

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Annex I

Press release issued by the Ministry of Foreign Affairs of Ethiopia on 9 June 1998

ERITREA EXPELS OVER 3,000, DETAINS 530 ETHIOPIANS

In the persistent campaign of terror against the Ethiopian people, the Eritrean authorities have expelled over 3,000 from Eritrea and detained 530 Ethiopians. Two thousand were herded into different parts of Eritrea, their belongings were confiscated, and they were driven out of the country in the most inhuman manner. One thousand more were evicted empty-handed from Assab alone, and 530 others have been detained.

Ethiopia calls upon the international community to condemn this massive displacement of innocent civilians as a flagrant violation of human rights.

The Eritrean atrocities against Ethiopia's civilian population contrasts with the meticulous care taken by Ethiopia to protect civilians in this time of crisis.

Ethiopia is gravely concerned that the action of the Eritrean authorities is consistent with their objective of inciting animosity between the peoples of the two countries. Unless pressure is brought to bear on the Eritrean authorities, they will not desist from committing more atrocities against civilian Ethiopian citizens residing in Eritrea.

Annex II

Press release issued by the Ministry of Foreign Affairs of Ethiopia on 9 June 1998

FRESH ERITREAN AGGRESSION REPULSED

While efforts are continuing to bring about a peaceful resolution of the crisis created by the Eritrean aggression against Ethiopia, the Eritrean Government has continued with its aggression by launching an attack on the Zalambasa front at 5.30 a.m. today, 9 June 1998. This attack, which was attempted three times, has been repulsed by the Ethiopian Defence Forces, inflicting heavy casualties on the Eritrean invading forces.

This latest act of aggression by the Eritrean authorities demonstrates once again without any doubt that the regime in Asmara is still committed to continuing its hostilities against Ethiopia.

The Eritrean authorities are known for their habit of fabricating lies and baseless propaganda in their desire to hold Ethiopia responsible for clashes initiated by themselves which result in heavy defeat suffered by their invading forces.

The Eritrean Government misinforms the international media by shifting the blame to Ethiopia when they themselves invaded the country, started the war and unleashed atrocities on innocent lives, proving that they had been preparing for the war.

In contrast, Ethiopia, for its part, is committed to the peaceful resolution of the crisis while taking all necessary measures for the exercise of its right of self-defence.

The actions of the Eritrean leaders are completely at variance with the recommendations submitted by the United States of America and Rwanda. Their actions are also contrary to their attempts to pose as peace-seekers at the ongoing Ouagadougou summit of African leaders.

Details on the latest aggression by Eritrea will be made available as more information is received.

Annex III

Press release issued by the Ministry of Foreign Affairs of Ethiopia on 9 June 1998

ANOTHER ERITREAN FORCES' ATTACK REPULSED

Eritrean invading forces were badly beaten when they launched repeated attacks against Ethiopian Defence Forces on the Zalambasa front. The attacks, which began at 5.30 a.m. today, 9 June 1998, were launched four times. At each attempt, the invading forces were repulsed with heavy casualties, and on the fourth attempt, which took place at about 2 p.m., they were decimated, with the remnants retreating in disarray, leaving behind their dead and wounded, while some were taken prisoner.

While representatives of the Eritrean authorities were trying to hoodwink the summit of the Organization of African Unity in Ouagadougou, their forces attempted to mount attacks well inside Ethiopian territory four times in one day.

Ethiopian commanders in the field reckon that the size of the invading forces was so formidable that it must have consisted of a major portion of the Eritrean army, while appreciating the involvement and participation of the local people in the defence of Zalambasa front.

The attacks were launched while the representative of Eritrea was calling for an end to hostilities in a speech he made to the summit of African leaders. The action of the Eritrean invading forces is contrary to what the representative was telling the world, for motives that are known only to the Eritrean Government.

Details of likely clashes provoked by the Eritrean forces will be given when available.

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LETTER DATED 10 JUNE 1998 FROM THE PERMANENT REPRESENTATIVE OF KENYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you the text of the decision of the Assembly of Heads of State and Government of the Organization of African Unity on the dispute between Ethiopia and Eritrea.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Njuguna M. MAHUGU, OGW
Ambassador
Permanent Representative

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Annex

Decision on the dispute between Ethiopia and Eritrea

The Assembly of Heads of State and Government of the Organization of African Unity, meeting in its thirty-fourth ordinary session in Ouagadougou, Burkina Faso, from 8 to 10 June 1998, examined the ongoing crisis between Ethiopia and Eritrea. At the end of the deliberations, the Assembly:

- Expressed deep concern over the escalation of the conflict;

- Endorsed the relevant resolution of the sixty-eighth ordinary session of the Council of Ministers on the crisis between Ethiopia and Eritrea and urgently appealed to the two parties to put an end concurrently and simultaneously to all hostilities and to accept and implement the recommendations of the facilitators;

- Decided to send to Ethiopia and Eritrea a delegation of Heads of State and Government of the Central Organ to be led by the current Chairman.

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LETTER DATED 9 JUNE 1998 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to bring to your attention the statement issued on 6 June 1998 by the Presidency on behalf of the European Union on the Ethiopia/Eritrea border dispute.

I should be grateful if you would have the text of this letter and of its annex circulated as a document of the Security Council.

(Signed) John WESTON
Permanent Representative of the
United Kingdom of Great Britain
and Northern Ireland to the
United Nations

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Annex

[Original: English]

Statement by the Presidency of the European Union on the Ethiopia/Eritrea border dispute

The European Union is extremely concerned at the serious escalation of the conflict between Ethiopia and Eritrea, and in particular deplores the bombings of Asmara airport and Mekelle by each other's forces on 5 and 6 June. These unnecessary developments threaten the lives of innocent civilians and jeopardize plans for the evacuation of foreign nationals, including citizens of the European Union and other foreign nationals who wish to leave.

We urge both parties to agree to a ceasefire and to resume cooperation with the facilitators, who are working to find a peaceful negotiated settlement. We remind both parties of the potential consequences this dispute has for future regional stability.

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LETTER DATED 10 JUNE 1998 FROM THE PERMANENT REPRESENTATIVES OF RWANDA AND THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

We have the honour to transmit herewith the text of the general implementation plan and recommendations from the facilitators as prepared by the Rwandan-United States facilitation team currently negotiating with representatives of the Governments of Eritrea and Ethiopia.

We should be grateful if you would have the present letter and its annexes circulated as a document of the Security Council.

(Signed) Ambassador Bill RICHARDSON
Permanent Representative of the
United States of America to the
United Nations

(Signed) Ambassador M. Gideon KAYINAMURA
Permanent Representative of the
Rwandese Republic to the
United Nations

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Annex I

General implementation plan

GENERAL

A. The two parties have agreed on the principles and accepted the recommendations of the facilitators as binding. In that regard, the two parties have agreed to use this general implementation plan as the basis for addressing the tasks required to delimit and demarcate their common border.

B. The facilitators have recommended to the two parties that the United Nations Cartographic Section, an organization with expertise in this technical field, coordinate the delimitation and demarcation of the entire border between the two countries, based on established colonial treaties and international law applicable to such treaties.

C. The two parties agree to execute other such binding agreements as may be jointly deemed necessary.

D. Upon agreement with the facilitators' recommendations the two parties will order an immediate stand-down of forces and take all necessary precautionary measures to avoid conflict, including a halt to all patrolling and reconnaissance activity. The parties will also freeze mobilization activity, including stockpiling for deployed forces, and limit logistics to deployed troops to that necessary for sustainment.

E. The two parties agree to reverse the mobilization process expeditiously.

INITIAL STEPS TO FACILITATE RESOLUTION OF THE ISSUE

There are measures which must be undertaken to defuse rapidly the current tension and to facilitate a resolution of the underlying problem. These steps include the restoration of a sense of security, stability and normalcy to the area of current tension. To that end, the following actions must be taken, generally in the order indicated below (D-day is the date the actual agreement is signed; all target dates are recommended time-frames):

A. The two parties will initiate separate requests to the Secretary-General of the United Nations requesting the assistance of the Cartographic Section. The parties will include a request that the United Nations establish a special fund for the delimitation and demarcation of the entire boundary. This fund would be administered by the United Nations Comptroller, and donations would be solicited from friendly Governments. Both parties also agree to make an equal and substantial contribution to this fund. (D+1)

B. The two parties will agree with the facilitators on the precise terms of reference and mission for an Observer Mission. (D-day)

C. Observer Mission advance teams will deploy to the region, and thence to Badme and environs, for reconnaissance, orientation and briefing by both parties. (D+1)

D. Eritrean forces shall begin to redeploy from Badme and environs to the positions held prior to 6 May 1998. (Note: This redeployment must be carefully coordinated with the deployment of the Observer Mission; see para. G(1) below.) (D+1-4)

E. The Observer Mission main body arrives in both capitals and is briefed, issued equipment and prepared for deployment. (D+3 and 4)

F. The Observer Mission main body is deployed to its area of operations. (D+4 and 5)

G. The Observer Mission coordinates activity with GFDRE and GSE to observe and accomplish the following:

(1) Observer Mission advance elements remain in contact with redeploying Eritrean forces to enhance continuous control in the area of operations in order to reduce the possibility of inadvertent observer contact with Eritrean forces in new locations and to facilitate deployment of the Observer Mission advance party. (D+1-5)

(2) The Observer Mission verifies the return of the Ethiopian administrators to Badme and environs. (D+5 and 6)

(3) The Observer Mission monitors the return of Ethiopian police to Badme and environs under the direction and control of the civil administrators. Police will have completed seminars covering the sensitivity of their mission. (D+6 and 7)

(4) The Observer Mission monitors the return of the civilian population displaced by the crisis to Badme and environs (except for residents of the area who are also members of the militia (see para. 5 below), who will be indoctrinated on their responsibilities and will attend seminars on the sensitivity and importance of the situation prior to their return). (D+7 and 8)

(5) The Observer Mission will monitor the return of the militia members, who will have attended seminars on the sensitivity and importance of the situation and who will have been indoctrinated on their responsibilities prior to their return. They will be the last group to return to Badme and environs, and their activities will be under the control, authority and discipline of the police. (D+8 and 9)

I. DELIMITATION AND DEMARCATION OF THE BORDER

A. Upon acceptance of the requests from both parties for technical assistance from the United Nations (see para. A of the preceding section), the Cartographic Section will provide an estimate of the time required to complete the delimitation and demarcation of the boundary as soon as possible, but will not delay implementation of the project pending that determination. (D+21)

B. The Cartographic Section will identify and engage the services of the necessary technical experts to assist in delimitating the boundary between the two parties. (D+14)

C. The two parties identify and forward to the Cartographic Section all necessary documentation; both sides ensure that all documentation submitted is of a sound legal basis. (as appropriate)

D. The Cartographic Section will commence the delimitation of the border as soon as possible with the approach and methodology it deems most effective. (D+14)

E. The delimitation of all segments of the entire boundary shall constitute the legal and binding resolution of the disposition of the border dispute by peaceful means.

F. The parties will begin the process of demarcation as soon as the necessary delimitation documents have been signed by both parties and deposited with the United Nations. (D+180)

G. The Cartographic Section will recommend an organization and/or a method for demarcation of the delimited border. The demarcation of the border shall begin at Badme, continue at Bada (Adi-Murug) and thence proceed in phases agreed upon by the parties until the entire border has been demarcated. (D+ as soon as possible)

II. DEMILITARIZATION OF THE BORDER

A. The two parties define the modalities of demilitarization and provide a detailed plan to the facilitators (D+ as soon as possible.)

B. Demilitarization of the border will begin in the Mereb-Setit segment, proceed next to the Bada area and be implemented throughout the entire boundary in a phased pattern agreed to by both parties (target completion by D+45)

III. RESTORING PUBLIC CONFIDENCE AND CALM

A. Both parties will undertake to inform and reassure the citizenry (and where applicable reinforce controls on local militia), either in or near the border during the implementation of the delimitation and demilitarization programmes, and to prevent any action by local administration, or its components, that inflame tensions.

B. Both parties will emphasize the peaceful nature of the resolution of current tensions and the initiation of a peaceful and equitable programme to resolve border issues once and for all.

Annex II

Recommendations of the facilitators

Noting that we have observed that there is a basis for both reducing current tensions and resolving the underlying problem between the Governments of the State of Eritrea and the Federal Democratic Republic of Ethiopia, the facilitators (the Governments of Rwanda and the United States of America) hereby submit the following recommendations:

1. The facilitators note that both parties accept the following principles and commit themselves to:

- Resolving the present crisis and any other dispute between them through peaceful and legal means;

- Honouring the principle that force must not be used as a means of imposing a solution;

- Undertaking measures which will reduce current tensions;

- Seeking the final disposition of their common border, determined on the basis of established colonial treaties and international law applicable to such treaties;

- Honouring the principle that the acceptance of these recommendations is fully binding.

2. So as to reduce current tensions and facilitate the process of resolving the underlying problem, the facilitators recommend that:

- An Observer Mission be deployed to Badme as soon as possible;

- Both parties agree with the facilitators on the mission and mandate of the Observer Mission;

- Within 24 hours of the arrival of the observer team, Eritrean forces begin to redeploy to positions held before 6 May 1998 and that, immediately thereafter, the civilian administration in place before 6 May 1998 return;

- There be an investigation into the events of 6 May 1998.

3. So that the underlying problem may be lastingly resolved, the facilitators recommend that the entire common border between Eritrea and Ethiopia be delimited and demarcated in the following manner:

- The delimitation/demarcation process shall be undertaken on the basis of established colonial treaties and international law applicable to such treaties;

- The delimitation/demarcation process shall be undertaken, with the involvement of the United Nations Cartographic Section, by a technical team having the requisite expertise and mandate required to make a full and final determination of the delimitation and demarcation of the entire border shared by Eritrea and Ethiopia;

- In the process of delimitation/demarcation, both parties shall have the right to present, in written and/or oral form, appropriate information and documentation to the technical team;

- The process of delimitation of the border shall be completed as quickly as possible and shall be based upon the advice of the technical team;

- Both parties shall agree to delegate responsibility for determining the common border to the technical team and accept its final determination as binding. Upon completion of the delimitation of the border, both parties shall sign the delimitation documents and deposit them at the United Nations and the Organization of African Unity (OAU) as an indication of their recognition and support for the new border;

- The entire common border shall be delimited by the technical team, the above-mentioned signed documents shall be deposited with the United Nations and OAU, and then demarcation shall be undertaken with Badme demarcated first, followed by the demarcation of Bada and then of the entire common border;

- The demarcated border shall be accepted and adhered to by both parties. Upon the completion of the demarcation of border segments, the legitimate authorities shall assume jurisdiction over their respective sovereign territories.

4. So that the process of delimitation/demarcation might be undertaken effectively, the facilitators recommend that:

- Both parties agree to demilitarize the entire common border as soon as possible and in accordance with the general implementation plan as a means of reducing tensions and facilitating the delimitation/demarcation process;

- Both parties agree on modalities for the demilitarization of the common border and provide details of this plan to the facilitators and the Observer Mission.

5. So that the process of reducing current tensions and resolving the underlying problem might be undertaken swiftly and practically, the facilitators recommend that:

- Both parties proceed on the basis of the general implementation plan (see annex I);

- Both parties accept that the general implementation plan has been designed on the basis of what constitutes the most practical means of sequencing various actions so as to render implementation, including the Observer Mission, as efficient and effective as possible.

6. So that the acceptance of these recommendations may be considered binding, the facilitators recommend that:

- Both parties convey, in an official and legally binding manner, their acceptance of the recommendations to the facilitators.

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REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

I. INTRODUCTION

1. The present report is submitted pursuant to the statement by the President of the Security Council of 28 May 1998 (S/PRST/1998/16), by which the members of the Council requested me to consult both sides in the Georgian/Abkhaz conflict on the concept of the self-protection unit outlined in my report of 11 May 1998 (S/1998/375, para. 26) and on other options as appropriate, in close cooperation with the group of Friends of the Secretary-General. The members of the Council also requested me to report on the outcome of those consultations as soon as possible and no later than 12 June 1998. In addition to the above, the report provides an update on recent developments in the region.

II. RECENT DEVELOPMENTS

2. Since my report of 11 May, the situation in the Gali sector has been deteriorating sharply. As the Council is aware, tensions had been building up for some time in that sector, and there was general apprehension in the population that a resumption of hostilities was imminent. A particular provocation that raised the tension level substantially was a one-day action staged by representatives of the Abkhaz Government-in-exile, which involved, among other activities, the raising of the Georgian flag in the Gali district. This event followed shortly the relocation of the headquarters of the Abkhaz Government-in-exile from Tbilisi to Zugdidi and the announcement by its leadership of its intention to create a "liberated zone" in the Gali district. Subsequently, on the night of 19-20 May, hostilities broke out in the security zone of the Gali sector between Abkhaz militia and Georgian armed groups. The Abkhaz side claimed that they were defending their territory against what they considered to be "Georgian terrorist groups", while the Georgians argued that they were defending the Georgian population against a sweep operation launched by the Abkhaz militia.

3. Following this outbreak of hostilities and the announcement by my Special Representative that an extraordinary session of the Coordinating Council would be convened on 22 May, the situation calmed down. However, while it was agreed

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during the meeting of the Council that steps would be taken to stop the armed confrontation, fighting again erupted on 23 May and continued the following day when the Abkhaz militia reportedly launched a large-scale operation. As hostilities escalated, thousands of inhabitants (most of whom had already fled their homes once before during the September 1993 war) fled the Gali district southwards across the Inguri River.

4. In light of these developments, the United Nations Observer Mission in Georgia (UNOMIG) offered to provide logistic support, including air and ground transportation, to facilitate an immediate face-to-face meeting between representatives of the Government of Georgia and the Abkhaz authorities. On 25 May, following efforts by both sides, a Protocol on a Ceasefire and Withdrawal of Armed Formations was signed at Gagra by the Government of Georgia and the Abkhaz authorities, as well as by my Special Representative and the Commander of the peacekeeping force of the Commonwealth of Independent States (CIS). The Protocol stipulated, inter alia, that special monitoring groups composed of representatives of the parties, UNOMIG and the CIS peacekeeping force would be established to monitor the ceasefire. Bearing in mind the seriousness of the situation and the need for the United Nations to support the parties' efforts in restoring the ceasefire, my Special Representative decided to lift partially the freeze on the Mission's patrolling in order to enable UNOMIG to take part in the implementation of the Protocol.

5. On 27 May, the Abkhaz leader, Mr. Vladislav Ardzinba, decreed a state of emergency in the Gali sector. Among other provisions, the decree provides for reinforcing to full strength the Abkhaz militia of the Gali sector and supplementing them with the necessary arms and logistic resources; the introduction of a curfew; the creation of a military commandant structure; and the strict control of persons and traffic moving in and out of the sector. The decision, which has since taken effect, is being implemented by the "Ministry of the Interior" in the security zone and the "Ministry of Defence" in the restricted weapons zone. The proclamation of a state of emergency runs counter to the spirit of both the Agreement on a Ceasefire and Separation of Forces, signed in Moscow on 14 May 1994, and the Protocol of 25 May 1998.

6. It was widely reported during the recent hostilities that Abkhaz militia and other Abkhaz armed groups had engaged in looting and burning of houses. Such activities are estimated to have resulted in the destruction of up to 90 per cent of the houses in some villages of the Gali district. Information available to date indicates that some 30,000 inhabitants of the sector have been displaced as a result of the hostilities. Many of these will not be able to return to their homes any time soon as a result of practices and policies of the Abkhaz authorities, which include, inter alia, a special regime for the entry of people into Abkhazia, charging of a 10-rouble fee for crossing the Inguri River and obstructing the passage of those who have Georgian residence identification in their passports.

7. On 29 May, it appeared that the parties had begun to disengage and that the situation was calming down. However, by 31 May, the situation had again become critical, and my Special Representative assessed that the risk of renewed hostilities was real. Preparations by both sides for renewed conflict were apparently under way. While the Abkhaz authorities, who had begun to implement

the state of emergency, deployed militia throughout the Gali district, Georgian armed groups began to operate again and Georgian Interior Ministry troops were deployed along the southern bank of the Inguri River. Georgian Defence Ministry troops were deployed in the two Georgian-controlled pockets on the northern bank of the River, but following a protest by UNOMIG, they were replaced on 3 June by Interior Ministry troops. In addition, new military equipment, such as bridge-layers and bulldozers, appeared in the Senaki bridge compound, just outside the border of the Zugdidi restricted weapons zone.

8. Active consultations are currently under way in Moscow between the personal representatives of the President of Georgia, Mr. Eduard Shevardnadze, and the Abkhaz leader, Mr. Ardzinba, concerning a possible meeting between the two leaders. The Executive Secretary of the CIS, Mr. Berezovsky, is also involved in these negotiations. The proposed meeting would address the current crisis and seek to put the peace process back on track. However, the apparent lack of progress in these consultations is cause for serious concern and underlines the need for intensified efforts by all concerned to overcome existing obstacles.

III. OPERATIONS OF THE UNITED NATIONS OBSERVER MISSION IN GEORGIA

9. As stated above, in order to support the parties' efforts, UNOMIG resumed limited patrolling jointly with the CIS peacekeeping force and representatives of the parties following the signing of the Protocol of 25 May 1998. That patrolling was suspended on 29 May, when the situation appeared to be calming down. Subsequently, however, in light of the renewed increase in tension, UNOMIG was authorized to resume independent, albeit limited, patrolling in order to help deter possible excessive behaviour by the Abkhaz militia and to facilitate the return of those inhabitants of the Gali sector who had fled during the earlier fighting. At present, the military observers patrol in two mine-protected vehicles at all times; patrols take place during the daytime only and on main roads connecting major populated areas; and the security arrangements with the CIS peacekeeping force mentioned in my previous report (see S/1998/375, para. 25) remain in place. The Mission's helicopter is on standby for possible medical evacuation. The countries contributing military observers to UNOMIG have been apprised of these developments. While none of them objected to the decision to resume limited patrolling, several underlined that such resumption should not be interpreted as a return to normalcy.

10. In spite of the precautions taken by the Mission, on 8 June a UNOMIG mine-protected vehicle detonated a mine in the Gali district, injuring a United Nations military observer from the Russian Federation and an interpreter. Two other mine incidents were reported earlier involving the CIS peacekeeping force and an Abkhaz vehicle. The latter incident resulted in the death of six of the vehicle's passengers.

IV. SECURITY ARRANGEMENTS

11. As requested by the Security Council, I instructed my Special Representative, Mr. Liviu Bota, to consult with the parties on the concept of the self-protection unit and on other options, as appropriate, in close cooperation with the group of Friends of the Secretary-General. Having completed his consultations, Mr. Bota has now advised me that the Foreign Minister of Georgia has reiterated his Government's unreserved support for the deployment of such a unit. The Abkhaz leader, Mr. Ardzinba, however, continues to object to such a deployment. In a letter addressed to me on 2 June, he recalled the statement in my last report that most of the attacks on the Abkhaz militia and the CIS peacekeeping force, which have repercussions on the activities of UNOMIG, have been orchestrated by armed groups operating from the Georgian side of the Inguri River (see S/1998/375, para. 47). In Mr. Ardzinba's view, the United Nations "undoubtedly possesses broad possibilities of convincing Georgia to comply strictly with the obligations it has assumed. Only in this way can conditions of security for UNOMIG be guaranteed, since it is precisely the activity of the subversive and terrorist groups that poses a real threat to [the Mission]". Mr. Ardzinba further stated that, for their part, the Abkhaz authorities would guarantee the security of UNOMIG in Abkhaz territory.

12. In the course of the consultations conducted with them, neither of the parties supported the option that UNOMIG be reduced to the minimal possible presence, as envisaged in my report of 11 May (ibid., para. 49), but both reaffirmed their support for the continuation of its presence and activities in accordance with its mandate, as stipulated in resolution 937 (1994) of 21 July 1994. The possibility of strengthening security arrangements with the CIS peacekeeping force, as described in my last report, was not considered by either side.

V. OBSERVATIONS AND RECOMMENDATIONS

13. Bearing in mind the positions of the parties as described above, as well as the situation on the ground and the need to maintain the Mission's presence among the population, and taking into account the fact that the proposed self-protection unit can only be deployed with the consent of the parties, the Council may wish to consider approving a modified version of the second option presented in my report of 11 May (ibid.), which proposes redeploying UNOMIG and resuming operations using mine- and ballistic-protected vehicles. Such a redeployment would take place only in the current limited manner (see para. 9 above). The Mission's strength would be temporarily established at 98 military observers; its protected vehicle fleet would be increased in order to ensure that all the Mission's personnel are protected when on the road; its team bases would remain closed; and the security arrangements mentioned in my previous report would be maintained, including protection by the parties of Mission headquarters and accommodations. Should the Council agree with that recommendation, I will submit as soon as possible, in an addendum to the present report, a statement on the related financial implications. The Council, however, should be aware that while the Secretariat has taken all possible measures to improve the security of the military observers in order to enable the Mission to implement its mandated tasks and to contribute, by its presence,

to the maintenance of peaceful conditions on the ground, the threat posed by mines (see para. 10 above), armed groups and criminal elements will remain serious and real as long as the efforts to move the peace process forward do not bear fruit. For that, both sides will have to demonstrate their commitment to the settlement of the conflict through genuine negotiations and accommodation.

14. I am very much concerned about recent developments in the area. Should the situation escalate any further it will only result in unnecessary human suffering and additional loss of life. I therefore appeal urgently to both sides to settle their disputes at the negotiating table and not by armed confrontation. I sincerely hope that the talks in Moscow will bear fruit and that the proposed meeting between the Georgian President, Mr. Shevardnadze, and the Abkhaz leader, Mr. Ardzinba, will take place soon. For his part, my Special Representative will continue his efforts to help move the Geneva process forward.

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REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

Addendum

In paragraph 13 of my report of 10 June 1998 to the Security Council (S/1998/497), I indicated that the financial implications for the increase of the protected vehicle fleet of the United Nations Observer Mission in Georgia would be provided for the information of the Council in an addendum to that document. It is estimated that the costs associated with the purchase of an additional 10 mine- and ballistic-protected vehicles would be approximately $1.1 million.

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LETTER DATED 10 JUNE 1998 FROM THE PERMANENT REPRESENTATIVE OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

In my capacity as the coordinator of the Consultating and Coordinating Process, I have the honour to bring to your attention the declaration of the Luxembourg Peace Implementation Conference Steering Board issued on 9 June 1998 (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Tono EITEL
Ambassador

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Annex

Declaration issued on 9 June 1998 by the Ministerial Meeting of the Steering Board of the Luxembourg Peace Implementation Council

1. The Steering Board of the Peace Implementation Council met in Luxembourg on 9 June 1998 at Foreign Minister level, to review progress in the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and to adopt a peace implementation agenda for the next six-month period.

Political Statement

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2. The meeting of the Steering Board takes place at a moment in the implementation of the Peace Agreement characterized by both substantive progress but also an inadequate rate of implementation. The slow pace of implementation by the authorities in Bosnia and Herzegovina are matters of serious concern.

3. Substantial progress has been achieved since the Bonn meeting: a new and more pluralistic Government has emerged from the elections in Republika Srpska; one half of the persons indicted for war crimes by the ICTY are now in custody; Entity justice sectors are now cooperating with the ICTY; Bosnia and Herzegovina now has a flag, passports, common license plates; the results of last September's elections have been implemented in all but one of the 136 municipalities and this has created a number of multi-ethnic municipal assemblies; restructuring of the public media and the police forces is well under way in Republika Srpska and the Federation, and the influence of the independent media is growing; minority returns have started in earnest and there is progress on property legislation; the provisional Konvertible Marka (KM) will circulate in a month and new legislation on customs, privatization, foreign investment and State and Entity budgets has been passed; and an IMF standby agreement has been reached.

4. These examples underscore that the ideals of pluralism and multi-ethnicity envisioned by the Peace Agreement, and the assumption of responsibility in implementing these ideals by the elected authorities in Bosnia and Herzegovina, are key to full democratization and lasting peace. Unfortunately, success often generates resistance, and the slow pace of implementation by the authorities in Bosnia and Herzegovina and their frequent procrastination in critical implementation issues, are a matter of most serious concern.

5. The Steering Board notes with concern that almost all progress has required continued and intensive efforts from the international community. In particular, the High Representative in several cases has had to resort to making interim binding decisions in accordance with his authority under Annex 10 of the Peace Agreement.

6. It is critical that Bosnia and Herzegovina take responsibility for its future and prepare to stand on its own. The continued political and financial support from the international community, together with the intention to prolong the international military presence, constitute an opportunity that Bosnia and Herzegovina cannot allow itself to miss - all the more since the present level of assistance cannot and will not last indefinitely.

7.The Steering Board calls on all citizens of Bosnia and Herzegovina to accelerate the rebuilding of the country politically, economically and socially. In addition, it calls for mutual respect and reconciliation. This task can only succeed through power sharing, tolerance and cooperation.

8.The Bosnian political leaders elected in 1996 have largely failed to serve the interests of the people of Bosnia and Herzegovina in rapidly implementing the Peace Agreement and in laying the basis for a peaceful and prosperous future. Too many of the current leaders continue to use the politics of domination and ethnic separatism to advance their own positions at the expense of the Bosnian people, thereby condemning the country to stagnation and isolation from the European family of nations.

9.It is high time for the authorities in Bosnia and Herzegovina to act in accordance with all aspects of the Peace Agreement and to implement the commitments they undertook at Dayton: building viable institutions; promotion of democracy; protection of human rights and the rule of law; reform of the educational curriculum; economic recovery; reconciliation and the return process. These elements form a good governance program which the Steering Board demands that the authorities implement swiftly.

10.The authorities in Bosnia and Herzegovina must therefore be guided by the principles of tolerance and reconciliation, the right to a fair hearing in court, freedom of movement and of residence, freedom of religion and what it means in terms of building a multi ethnic country, the repeal of legislation and practices with discriminatory effect and the protection of ethnic and/or minority populations.

11.The September 1998 elections are a major opportunity for the people of Bosnia and Herzegovina to express their wishes about the future of their country and to elect leaders ready to make the difficult compromises required to create a lasting peace and allow Bosnia and Herzegovina to take its rightful place in Europe. We call on all the people of Bosnia and Herzegovina to exercise their democratic rights actively and to participate in the elections.

12.The international community expects all candidates for office in the September elections to address publicly the following issues:

•return of refugees and displaced persons; •rights of ethnic minorities; •economic reform and reconstruction; and •provision of social services and education.

13.The Steering Board welcomes OSCE supervision of the registration process and of the election process and welcomes the excellent cooperation between the High Representative and the OSCE. It welcomes the intention of the Media Experts Commission and the Election Appeals Sub Commission to use their authority to the fullest to vet candidates and sanction those obstructing Dayton implementation or impeding the process of free and fair elections. The Steering Board expects the election rules and regulations adopted by the Provisional Election Commission (PEC) to be respected.

14.The Steering Board calls on the inter-Religious Council in Sarajevo, as well as all religious leaders, to engage directly in efforts that would defuse conflicts and promote freedom of worship and freedom of movement for members of all religions.

15.The 1995 London PIC Conclusions looked forward to the eventual creation of a direct and dynamic contractual relationship between Bosnia and Herzegovina and the European Union. Taking account of the High Representative's authority as set out in Annex 10 of the Peace Agreement, the Steering Board welcomes the 8 June EU Declaration on Bosnia and Herzegovina, setting out the prospects for closer cooperation with European structures, if Bosnia and Herzegovina continues on the right path, and establishing a joint consultative Task Force to provide advice to Bosnia and Herzegovina in overcoming technical questions relevant to developing its relations with the European Union in the future.

16.The Steering Board thanked SFOR for its efforts to provide the secure environment necessary for the civilian implementation of the Peace Agreement and for assistance rendered in this field. The Steering Board and the parties to the Peace Agreement recognized and supported the intention to continue SFOR when the current mandate expires on 20 June.

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17.For the remainder of 1998, the Steering Board emphasizes the following peace implementation priorities (as detailed in the peace implementation agenda set out in subsequent paragraphs below):

•The acceleration of refugee and displaced person returns in a phased and orderly manner in accordance with the Peace Agreement. •Police and judicial reform. •The acceleration of economic reintegration and reform. •Free and fair nation-wide elections in September. •The implementation of the High Representative's media strategy. •The strengthening of governmental institutions at all levels.

18.The Steering Board reaffirms its strong support for the High Representative and for the active use of his full authority under the Peace Agreement, as outlined in the Bonn PIC Conclusions.

Peace Implementation Agenda for the Remainder of 1998

Return of Refugees and Displaced Persons

19.The phased and orderly return of refugees and displaced persons, including returns to Sarajevo, is crucial to a lasting peace and the development of a viable multi-ethnic Bosnia and Herzegovina, in which no minority will consider itself to be discriminated against.

20.The Steering Board reiterates the fundamental right in accordance with the Peace Agreement of all refugees and displaced persons freely to return to their homes of origin. The Steering Board condemns in the strongest terms the recent incidents of violence in Drvar, Stolac, Derventa and elsewhere and insists that those responsible be brought to justice. We support use of the High Representative's authority to remove any public official who infringes this right or attempts to prevent returns.

21.While welcoming the results of the Sarajevo and Banja Luka Returns Conferences, the Steering Board is disappointed by the insufficient progress toward the agreed targets. It urges the relevant authorities to accelerate implementation and remove immediately all remaining political, legal and administrative obstacles to minority returns.

22.The Steering Board fully supports the efforts of the High Representative, working with the Reconstruction and Return Task Force (RRTF) and the Economic Task Force, to apply strict conditionality as well as encouraging positive linkages in support of return. It reiterates its support for initiatives such as the 'Open Cities', and highlights the need for Sarajevo and Banja Luka to meet the criteria to be declared 'Open Cities'. It also welcomes the Regional Return Strategy presented by the UNHCR (which outlines four sustainable solutions, namely voluntary return to their pre-conflict homes as the preferred solution, as well as local integration, resettlement and relocation)

and calls upon all the parties to cooperate in its implementation. The Steering Board asks the High Representative and the UNHCR to report regularly on the parties' progress in implementing the plan. It further urges that the links between the RRTF and relevant actors in neighboring countries be further developed.

23. The Steering Board calls upon authorities in both Entities to enable the UNHCR to organise a census/registration of displaced persons, refugees, and returnees. It is essential that the High Representative, the UNHCR and the Steering Board have accurate data in order further to implement Annex 7 of the Peace Agreement.

24. As a consequence of the war, many citizens of Bosnia and Herzegovina have been displaced from places where their personal records are held and personal documents were issued. The full access of individuals to their personal documentation is a necessary condition to support the process for return. The authorities of Bosnia and Herzegovina should, in cooperation with the international community, put in place mechanisms, by 1 August 1998, to ensure citizens of Bosnia and Herzegovina have full access to personal documentation.

25. Public security is crucial, particularly at this juncture. The Steering Board warmly commends the work of UN IPTF. Until the police are fully restructured, SFOR should continue providing a security environment conducive to civilian peace implementation. In this regard, police have primary responsibility for public security, closely monitored by the UN IPTF, with SFOR support as appropriate. The Steering Board encourages all members to ensure adequate funding for continued police reform efforts, especially given the critical requirement for security in connection with returns. The Multinational Specialized Unit (MSU) within SFOR, with the same mandate as other SFOR elements, will enhance SFOR's ability to support the local authorities in responding to civil disorder, without engaging in police functions, including in situations related to the return of refugees and displaced persons and the installation of elected officials.

26. In this regard, the Steering Board encourages active coordination by the High Representative of the local police, together with SFOR and UN IPTF, in developing and implementing security planning for refugee returns with UNHCR.

27. The adoption and effective implementation of new property and housing legislation in both Entities are essential to enable individuals to return to their pre-war homes. The Steering Board welcomes the entry into force of the property legislation in the Federation on 4 April 1998. In Republika Srpska, draft legislation acceptable to the High Representative must be finalized and passed by 31 August 1998. The Steering Board urges the Federation authorities to take immediate steps to ensure full implementation of the legislation. If this obligation is not met, the Federation authorities must extend the deadline for pre-war residents of socially owned apartments to apply for the restoration of their occupancy rights. Privatisation of apartments declared abandoned since 1991, including military and police apartments, shall not occur except in accordance with the Law on the Cessation of the Application of the Law on Abandoned Apartments.

28. The Steering Board welcomes the property options strategy developed by the Commission for Real Property Claims of displaced persons and refugees. The Steering Board affirms that resources for a property compensation fund should be generated locally, and calls on the Entity governments to fund the pilot project phase.

29. Education in Bosnia and Herzegovina must contribute to the goals of peace implementation, not present further obstacles to return. Textbooks in use in public schools must be reviewed and offensive material removed before the coming school year. Curriculum reform efforts in both Entities should continue, with the assistance of relevant organizations, including UNESCO and the Council of Europe. Special efforts should be made to develop a common curriculum for teaching the recent history of Bosnia and Herzegovina that fosters reconciliation and does not further inflame ethnic tensions. The Steering Board requests the High Representative to draw up a plan to carry this out by coordinating the agencies involved.

Public Security and Judicial Reform

30.The Steering Board urges the Federation and Republika Srpska to finish the process of restructuring the police in a speedy manner, in close coordination with UNMIBH. A multi-ethnic police is vital for providing a secure environment for returnees, displaced persons and all citizens. The Steering Board encourages the UN IPTF to finish the establishment of the joint police forces in the Federation, and to continue without delay its negotiations with the RS government.

31.Therefore, the Steering Board requires that the Republika Srpska Ministry of Interior fill at least 400 minority police officer posts in the restructured police force by 31 August 1998 at the latest. By December 1998 the Republika Srpska restructured police force should reflect the 1997 municipal election results. The ethnic composition of the police force must reflect an equitable representation of all three constituent peoples and others.

32.The Steering Board emphasizes the need for speedy and complete implementation of the Bosnia and Herzegovina uniform license plate system and uniform vehicle registration documents developed by the High Representative and UNMIBH, and reminds the parties of the deadlines set by the High Representative. Since 1 June 1998, only cars with the new license plates and the uniform vehicle registration document have been allowed to cross international borders, and from 31 August 1998, all vehicles in Bosnia and Herzegovina will be required to carry the new license plates and uniform vehicle registration documents.

33.The Steering Board requires that the Federation Ministry of the Interior is inaugurated by 15 June and restructured, as called for in the Bonn PIC Conclusions, and that the two remaining Federation Cantons inaugurate their new integrated police forces as per UN IPTF requirements. All 10 Cantons of the Federation must have a restructured multi-ethnic police force reflecting the 1991 census established by 31 December 1998.

34.Recognizing the importance of inter-Entity cooperation, we welcome the much improved cooperation between the Federation and Republika Srpska on internal security, and encourage the Federation and Republika Srpska to implement fully their cooperative agreements on Justice and Interior matters.

35.The Steering Board welcomes the signing of the Memorandum of Understanding on Legal Assistance between Institutions of the Federation and Republika Srpska on 20 May 1998 and urges the Parties immediately to take the necessary steps to implement it. In addition, the Steering Board welcomes the establishment of the Commission on Inter-Entity Legal Cooperation and calls upon its members to agree on initial recommendations for necessary legislation in this field no later than 31 July 1998.

36.Recognizing the importance of a professional, independent judiciary, the Steering Board supports expanded judicial reform efforts, coordinated by the High Representative. We urge that qualified people from Bosnia and Herzegovina be employed in this program, to the extent possible, in order to build local experience and capacity.

37.The entities must bring the current, first phase of the Criminal Law reform to completion. The Steering Board urges the Federation and the RS to enact the new criminal codes and the new criminal procedure codes by 30 June 1998 and 31 August 1998 respectively. A systematic review of the Criminal Laws has to follow immediately. The Steering Board stresses the need to ensure that judicial appointments are based solely on merit and that all ethnic groups are fairly represented in the judicial system.

38.The Steering Board requires both Entities to comply with information requests, recommendations and decisions of the two components of the Annex 6 Human Rights Commission, the Ombudsperson and the Human Rights Chamber.

39.The Steering Board welcomes the adoption by the United Nations Security Council of the Resolution 1168 of 1998, looks forward to the UNSC extension of the UNMIBH mandate and also welcomes the current consideration of an UNMIBH-led court monitoring program.

40.We support efforts to strengthen the office of the Federation prosecutor and urge active use of this office, especially in cases where local officials use, or protect those who use, violence to obstruct Dayton implementation. If it proves necessary or advisable, the Steering Board would support any necessary improvement in the criminal justice systems in the Entities to deal with such crimes.

Economic Reintegration and Reform

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41. The Steering Board reminds the authorities in Bosnia and Herzegovina of the importance of establishing an integrated economy, as well as the urgent need to move towards a market oriented economy with an attractive investment climate.

42. Privatization is essential for the economic recovery of the country. The Steering Board stresses that refugees and displaced persons should not be discriminated against in the privatization process and that the process ensures transparency and fairness. The Steering Board welcomes the passage of privatization legislation in the Federation, the adoption of the State-level privatization law by the Council of Ministers and the revision of privatization legislation in Republika Srpska. It calls for the immediate passage of the State-level privatization law by the Bosnia and Herzegovina parliament and urges passage of new privatization legislation in Republika Srpska, consistent with it, by 15 July 1998. The Steering Board calls for the privatization process to be underway in both entities by 30 August, 1998.

43. The Steering Board notes that too many obstacles still prevent free and fair trade in Bosnia and Herzegovina. Therefore:
a.illegal Entity tax legislation should be repealed, or amended, by the Entities by 15 July 1998; b.Entities should harmonize sales taxes and excise legislation before 1 November 1998; c.the Federation authorities should unify the tax collection and payment systems in the Federation under a single Payment Operations Institution before 30 September 1998; d.illegal bilateral customs agreements should be repealed by 15 July 1998; e.the customs code should be passed by 15 July 1998 and fully applied by January 1999.

44. The Steering Board is pleased to note that Bosnia and Herzegovina now has a stand-by arrangement with the IMF: the new Konvertible Marka currency will be put in circulation before end of June 1998. However, further actions are needed in the financial sector. Therefore:

a.new banking legislation should be adopted in both Entities by 15 July 1998; b.a country-wide system of payments in Konvertible Marka should be developed further in cooperation with the IMF and the Governor of the Central bank; c.a plan for comprehensive reform and reorientation of existing payment bureaus should be prepared by 31 October 1998.

45.The Steering Board commends recent progress in organizing public utilities. The Steering Board encourages the eventual privatization of such utilities. In particular it welcomes the establishment of the Bosnia and Herzegovina

Joint Railway Corporation as part of the Transportation Corporation. In order to ensure a further improvement of the infrastructure network:

a.the law on Telecommunication should be adopted by the Council of Ministers before 30 September 1998 and implemented before December 1998; b.a Framework Agreement should be signed by the authorities setting the principles for the reorganization of the electricity sector before 31 October 1998; c.a Framework Agreement should be signed by the authorities setting the principles for the reorganization of the postal sector before 31 October 1998; d.the Transportation Corporation should be activated by 30 November 1998.

46. The Steering Board requests that international assistance for public utility sectors be conditioned upon a program of re-structuring and transparency set up by the High Representative in close consultation with the Chairman of the Commission on Public Corporations and with the main bilateral donors. It reminds the authorities of Bosnia and Herzegovina that all accounts of all public companies should be made public.

47. The Steering Board supports the request of the High Representative that assistance directed towards Republika Srpska be increased in 1998 to make up for the past low level of international aid.

48. The Steering Board urges the authorities, in particular in the Entities, to undertake more actions and reforms, including those proposed by EC CAFAO, to reduce the scope of corruption and misuse of public funds. It welcomes the creation by the High Representative of an anti-fraud unit and encourages him to coordinate the effort of the international community in that field to better implement a comprehensive strategy.

49. The Steering Board calls on the authorities in Bosnia and Herzegovina to reach agreement by 31 July 1998 with the Government of the Republic of Croatia and the Government of the Federal Republic of Yugoslavia to determine official border cro sing points between Bosnia and Herzegovina and these respective neighboring countries. Each agreement shall also determine how to prevent traffic from using the numerous roads crossing the border at non-approved locations between Bosnia and Herzegovina and the Republic of Croatia or the Federal Republic of Yugoslavia. The Steering Board recommends that each border point be properly controlled.

50. As a key to the further revitalization of the Bosnian economy, it is critical that operations of the Central Bank and the introduction of the common currency go forward as scheduled.

51. The Steering Board regrets the failure to achieve a unified telephone system with Bosnia and Herzegovina-wide consistent dialing codes and a single international dialing code, as agreed at the 1996 London PIC Conclusions and in the August 1997 agreement on telephone area codes. It calls for these goals to be attained by December 1998.

52. Public authorities must support monetary stability and macroeconomic consolidation by adhering to budget processes that are fiscally sound, realistic, transparent and operative. Public authorities should promote a culture of public accountability. The international donor community and the people of Bosnia and Herzegovina will not continue to tolerate budget irregularities and corruption.

53. In spite of the progress accomplished so far, the Steering Board is concerned that Bosnia's economic growth to date is mainly due to donor inputs and "bounce back" after war. In real terms, Bosnia and Herzegovina's GDP is still only about half of its relatively low pre-war level. The Steering Board urges the immediate adoption of structural reforms to establish a market economy. These reforms should include:

•Development of a viable financial sector. This means introducing market-oriented private banks in the place of the current state banks, developing capital markets, supporting the establishment of insurance companies, and other measures.

•Privatization of socially-owned enterprises and banks.

•Establishment of a regulatory framework favorable to domestic and foreign investment.

•Full implementation of the joint customs tariff, and the elimination of any remaining barriers to free trade within Bosnia and Herzegovina.

54. The Steering Board emphasizes the importance of agriculture in the economy of Bosnia and Herzegovina, and in particular to provide an environment which will sustain the return of refugees. The Steering Board urges the Entities to take immediate measures to stop illegal exploitation of forests.

Democratic Elections

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55. The Steering Board welcomes the successful implementation of the 1997 election results in 135 out of 136 municipalities and urges the newly elected authorities to work in a spirit of reconciliation. The functioning of parallel municipal structures in certain municipalities must cease immediately. The Steering Board urges the parties to ensure prompt implementation and condemns the obstructionist behavior of parties in Srebrenica.

56. In order to enable the municipal councils to function properly and efficiently, the voluntary return of displaced municipal officials to the municipality in which they hold office is essential. The Steering Board endorses the priority given to those with executive functions.

57. Regular elections and multi-ethnic political pluralism are vital for the development of a democratic Bosnia and Herzegovina. The September elections should mark a decisive stage in the building of a democratic society in Bosnia and Herzegovina. The Steering Board welcomes the full supervision by the OSCE of these elections, including the voter registration, polling and counting. The Steering Board urges all participating states to ensure the OSCE has the personnel and the financial resources to accomplish this task. The Steering Board notes that the voluntary contribution period for this election budget has been opened by the OSCE Chairman-in-Office, and encourages all members of the Peace Implementation Council to contribute, especially those who will not be assessed under the OSCE process.

58. The Steering Board expects the election rules and regulations adopted by the Provisional Election Commission (PEC) to be respected. The OSCE should fully utilize its existing authority, including the authority of the Elections Appeals Sub-Commission and the Media Experts Commission established by the PEC, to vet candidates, and sanction those parties and candidates that obstruct free and fair elections and the spirit of the Dayton Agreement.

59. The Steering Board stresses the need to accelerate the on-going drafting of a permanent election law, to be adopted in the post election period, which contains appropriate provisions to increase pluralism in future elections.

60. The Steering Board takes note that 86 political parties and independent candidates have applied for registration for the September elections and encourages them to use the alliance and coalition possibilities offered by the PEC Rules and Regulations.

61. Recognizing the importance of political parties in the emerging democracy in Bosnia and Herzegovina, the Steering Board encourages political parties and non-governing organizations in member countries of the Peace Implementation Council to support and assist pro-Dayton and multiethnic political parties in Bosnia.

Media Reform

62.The media play a critical role in these elections and in the Bosnian peace process, and only if all parties have free and equitable access to the media, will citizens be in a position to choose responsible leadership. In order to promote free, independent and fully restructured media in line with European standards, the Steering Board fully supports the efforts of the High Representative in the establishment of the Intermediate Media Standards and Licensing Commission (IMSLC) as agreed in the Bonn PIC Conclusions. The Steering Board insists on full cooperation with IMSLC. In particular, The Steering Board expects the competent authorities to participate and cooperate fully with the Commission and to provide appropriate experts for its staff.

63.The Steering Board recognizes the importance of a Public Broadcasting System in Bosnia and Herzegovina and in this context urges the High Representative swiftly to complete the restructuring of RTV BiH, including the integration of the transmission system. The Steering Board deplores the stalling tactics deployed by the local authorities and welcomes the High Representative's intention to use his authority if the deadline is not met. As a second step in this process, the High Representative is requested to follow through on plans to establish a countrywide public broadcasting system with the cooperation of both SRT and RTV BiH. The Steering Board expects the full cooperation of the responsible authorities and the management of RTV BiH in this process and in the implementation of the High Representative's overall media strategy.

64.The Steering Board also underscores the importance its attaches to the Open Broadcasting Network (OBN) in providing the people of Bosnia and Herzegovina with an objective and independent television and urges the necessary financial support for OBN. The goal is to ensure that multiple sources of information, including independent media and properly regulated public media are available to all Bosnia and Herzegovina by the September elections campaign period.

Strengthening Governmental Institutions

65.The institution-building process in Bosnia and Herzegovina is proceeding too slowly. The Steering Board notes with concern that neither the Presidency nor the Parliamentary Assembly of Bosnia and Herzegovina nor the Council of Ministers have yet taken the badly needed steps to build sustainable and efficient common structures. All three institutions should take adequate steps so as to have their plenary meetings at the former Parliament building. After the elections in September the present practice of meetings should finally cease. The Steering Board calls upon the Commission of the European Union and the World Bank to continue renovation in order to ensure that these premises can become the permanent seat of common institutions under a special administrative and security regime, in line with the guidance given by the High Representative.

66.The Steering Board further requests the Council of Ministers to implement the Council of Ministers Law without further delay. The full establishment of its common services under the guidance of the newly appointed international coordinator is compulsory and should be completed by 30 July 1998.

67.The two Houses of the Parliamentary Assembly should establish an office for common services at the former Parliament building by 31 July 1998. The Steering Board stresses that any further obstructionism is not acceptable.

68.The Ministry of Civil Affairs and Communications must take the necessary steps to make the recently adopted State budget operational in close cooperation with the Central Bank. The agreement reached by the Entities on a mechanism ensuring automatic monthly transfers from the Entities' budgets to the State budget must, therefore, be implemented as a matter of urgency.

69.The Steering Board welcomes the recent steps towards full implementation of the Law on Travel Documents and the fact that all passport offices in both Entities will be operational and ready to distribute the new documents by 1 July 1998. The Steering Board hereby decides that all elected or appointed officials and all other citizens of Bosnia and Herzegovina shall be required to use the new Bosnia and Herzegovina travel documents when travelling abroad from 1 August 1998 and from 1 January 1999 respectively. However, refugees living abroad will be entitled to use their old passports or other official documents for their return to Bosnia and Herzegovina. Foreign residents registered as such may use their national passport.

70.The Steering Board supports the efforts of the High Representative and the UN IPTF to draft a State Border Police law for the Bosnia and Herzegovina Institutions for adoption by 30 June 1998, pursuant to the Constitution and the Bonn PIC Conclusions. A State Border Police shall be created under the auspices of the Ministry of Civil Affairs and Communication of the Bosnia and Herzegovina Council of Ministers. The State Border Police must wear a common uniform and carry a common insignia.

71.The Steering Board welcomes the results of the Federation Forum on 16 April and the Action Plan contained therein. In the case of non-compliance, the Steering Board insists on the immediate dismantling of illegal, parallel institutions and encourages the High Representative to institute firm measures against those maintaining these institutions.

Ensuring Better Peace Implementation at the Local Level

72.Implementation of the Peace Agreement depends, to a great extent, on responsible local officials. The Steering Board believes that an enhanced focus must be placed on implementation of the Dayton Agreement at the municipal and cantonal levels in both Entities.

73.Good governance at the local and cantonal levels is a fundamental element in the assumption by the authorities in Bosnia and Herzegovina of their full responsibilities under the Peace Agreement

74.The Steering Board requests the High Representative to establish an evaluation system, drawing on existing data and resources, of peace implementation in individual cantons and municipalities and indicate to the Steering Board what steps need to be taken. Options would include the appointment on an ad hoc basis of a Special Envoy to coordinate local and international activity in non-compliant municipalities. Among the criteria to determine non-compliance are the following factors:

•cooperation on return of refugees and displaced persons; •implementation of election results, including giving real power to elected officials; •police reform and integration of police forces; •cooperation with the ICTY; •overall cooperation on implementation.

75.The Steering Board donors will take the results of this evaluation into account when allocating assistance.

76.The Steering Board acknowledges the need for the provision of adequate security and commits itself to provide the necessary staffing and funding to carry out the tasks set out above.

Cooperation with the ICTY

77. The Steering Board welcomes the improved cooperation by Bosnian Serb authorities with the ICTY, which has resulted in a number of voluntary surrenders by persons indicted on war crimes charges. Nevertheless, a large number of indictees remain at large, including Radovan Karadzic; the competent authorities must take immediate steps to execute arrest warrants for all indicted persons under their jurisdiction, and to surrender them to the ICTY. The Steering Board welcomes the further transfers of war crimes indictees to the ICTY. A fair trial of those indicted is indispensable for the process of ethnic reconciliation and authorities in Bosnia and Herzegovina, Croatia and Federal Republic of Yugoslavia to fulfil their obligations under the Peace Agreement.

78. The Steering Board demands that the Federation and Republika Srpska authorities fulfil their obligations under the Peace Agreement and subsequent agreements, including the 'Rules of the Road'.

79. The Steering Board welcomes the fact that, for the first time since the end of the conflict, all three parties are participating in the Joint Exhumation Process, chaired by a representative of the High Representative, and providing each other with full access to exhumation sites without demands for reciprocity. The Steering Board notes, however, that the authorities have failed in sharing information about the fate of the missing and about locations of grave sites. We therefore demand that the authorities provide full disclosure of all information that can assist with the tracing process.

80. The Steering Board commends the work of the Commission on the Missing and urges all Bosnian authorities, as well as authorities in neighboring countries, to cooperate more effectively to clarify the fate of all persons missing from the war.

Demining

81. The Steering Board welcomes ratification of the Ottawa Treaty and expects Bosnia and Herzegovina to produce a plan of action to implement it without delay. This was called for in the London and Bonn PIC Conclusions and needs to be accomplished immediately. The Steering Board welcomes the initiatives of Canada and Slovenia on demining.

82. The Steering Board notes that the transfer of the UN Mine Action Center to Bosnian authorities, to include the hiring and training of an ethnically-balanced staff of Bosnian managers, is six months over-due.

83. The Steering Board also notes that the establishment of the Entity Mine Action Centers is behind schedule and encourages all parties to increase efforts to resource, staff and field these vital units in a timely fashion.

84. The Steering Board welcomes the progress made in strengthening the capabilities of the Entities' military demining forces, and encourages all parties to continue efforts to carry out military demining operations in accordance with international humanitarian demining standards.

Dayton Annex 8 (Monuments)

85.The Steering Board commends the efforts of UNESCO in Bosnia and Herzegovina and calls on PIC members to support UNESCO work in preserving and rebuilding monasteries, churches, mosques, bridges and other National Monuments. It calls on the members of the Commission to Preserve National Monuments to complete the process of designating National Monuments as required in Article IV of Annex 8 of the Peace Agreement. It also calls on the Bosnian authorities to improve their cooperation, both with international donors and with other parts of the government of Bosnia and Herzegovina, to maintain the national heritage.

Sports

86.The Steering Board urges that negotiations begin with a view to reconstituting the internationally recognized Bosnia and Herzegovina sports associations in such a way to represent the whole country. Entity sports associations should not be internationally recognized. The Steering Board reminds the Entities of their obligations to form teams together representing Bosnia and Herzegovina and demands that the Entities report to the High Representative on this issue by 1 October 1998.

Military Stability/Arms Control

87.The Steering Board recognizes the key function of the Standing Committee on Military Matters (SCMM) in building confidence and stability. While considering it vital that the international community continue to work with the SCMM in a spirit of cooperation, it urges all parties to act together to ensure that the SCMM rapidly gains the necessary stature to play a major part in the stabilization of Bosnia and Herzegovina. It supports the work of the SCMM and other mechanisms to foster inter-entity military cooperation.

88.The Steering Board welcomes the results of the amnesty covering mines, ordnance and other warlike material. It considers that the time is now right for an amnesty specifically aimed at weapons and urges the authorities in Bosnia and Herzegovina to enact appropriate legislation at the earliest possible opportunity, and by 31 August 1998 at the latest.

89.The Steering Board welcomes progress made in the Article II (Confidence and security building measures in Bosnia and Herzegovina)and Article IV (measures for sub-regional arms control) negotiations. The Steering Board considers that there is at this juncture an opportunity to move arms control activity into a new stage, and invites the authorities in Bosnia and Herzegovina to explore ways to implement mutually agreed and verifiable decreases in the numbers of troops and heavy weapons in their respective defense establishments. Such a reduction would serve as a confidence building measure and enhance stability, while freeing resources from military budgets for reconstruction.

90.The Steering Board welcomed the successful move to Article V (Regional Arms Control Agreement) negotiations.

91.The Steering Board insists that both entities make military expenditures more transparent (including direct or indirect support received from other countries) and insists that all defense spending within an entity be centralized within an openly published defense budget.

92.The Steering Board urges greater efforts to complete the process of integrating the Federation military, including the immediate adoption of a common insignia, the exclusive use of the Federation flag and creation of a joint, integrated command structure.

Brcko

93.The Steering Board endorses the Supplemental Award for Brcko. The Steering Board welcomes the establishment of the Republika Srpska government Commission for Brcko by Prime Minister Dodik and emphasizes the importance of this commission in ensuring that the terms of the Supplemental Award are fulfilled. It notes that Republika Srpska must carry the "burden of demonstrating very clearly that it has truly reversed course and committed itself to an apparently permanent program of full Dayton compliance." It further notes that the multi-ethnic administration remains 'shallowly-rooted', and reminds the Republika Srpska government that it is very much in its interests to accept the guidance of the Supervisor, and to take all necessary measures to support and strengthen the Brcko administration, judiciary and police force.

94.The Steering Board welcomes the continued success of the returns process in Brcko but reminds the authorities of both the Federation and Republika Srpska of their obligations under the current award, including facilitating the return of ethnic minorities to and from Brcko.

95.The Steering Board acknowledges that economic revitalization of Brcko is crucial for the continued success of the return process, as well as the process of reconstituting a multi-ethnic city and government. It notes with satisfaction the funding by the Donor Conference of the work of special consultants in support of the Supervisor's efforts to establish a program of privatization of non-privately owned and socially-owned enterprises as well as a duty free or special economic zone to stimulate the region's economy.

96.The Steering Board emphasizes the fundamental importance of freedom of movement in all directions through Brcko.

Regional Issues

97.The Steering Board emphasizes that building a stable Bosnia and Herzegovina has also to be addressed in a regional context. The Steering Board therefore strongly reminds Croatia and the Federal Republic of Yugoslavia of their obligations as signatories of the Peace Agreement. Both countries must do more to fulfil these commitments. Attempts to modify the agreed structures in Bosnia and Herzegovina at the Canton or Entity level that would lead to separation or segregation are unacceptable.

98.Croatia must allow unimpeded refugee return throughout Croatia, as well as support the process of return in Bosnia and Herzegovina. Croatia must also establish an effective and consistent border regime with Bosnia and Herzegovina, which is necessary for accession to any international trade organizations. The Steering Board welcomes the recent decision of the Government of Croatia to extend visa exemptions to all citizens of Bosnia and Herzegovina.

99.The Steering Board demands that the Government of Croatia actively enforce the agreed Memorandum of Understanding signed by the authorities in Bosnia and Herzegovina in February 1998 and the decision of the High Representative in May 1998 regarding the common license plates.

100.The Steering Board also expresses its concern about the continuing payments made by the Government of Croatia to Bosnian Croat officials and military personnel. Such payments undermine the integrity of Bosnia and Herzegovina and should be immediately phased out.

101.The Federal Republic of Yugoslavia government took a responsible position in supporting the creation of a government in Republika Srpska which more effectively addressed the interests of Republika Srpska residents. The Steering Board warns the FRY not to undermine this progress by trying to induce new instability in Republika Srpska.

102.The Steering Board calls on the governments of Bosnia and Herzegovina and the Federal Republic of Yugoslavia immediately to complete the establishment of diplomatic relations and the exchange of Ambassadors, without preconditions, as previously agreed.

103.The Steering Board is concerned by the steps which the governments of Croatia and the Federal Republic of Yugoslavia are taking to limit free and independent media, which negatively affects the information available to residents of Bosnia and Herzegovina.

Succession Issues

104.The Steering Board, reconfirming the Sintra declaration and the Bonn PIC Conclusions on Succession issues, has taken note, with appreciation, of the High Representative's Report of 22 May 1998.

105.The Steering Board notes with concern that only very limited progress has been made in complying with the PIC call for effective access to relevant records and data. Although the Federal Republic of Yugoslavia has decided in principle to make certain documents available, the Steering Board considers that that decision is inadequate to enable negotiations on the draft Framework Agreement of 13 November 1997 to proceed effectively and on an equal footing. The Steering Board renews the request made by the PIC, and stresses the importance of compliance with it in full, and without delay.

106.The Steering Board also notes with concern the States' continuing lack of progress in arriving at a consensus on substantive issues of succession, within the framework of the Special Negotiator's draft of 13 November 1997. Negotiations on succession issues cannot continue indefinitely. Therefore, the Steering Board supports the recommendation of the High Representative that there be a pause in the negotiations until the end of September. A further negotiating session to consider the above mentioned draft will then be scheduled, assuming that appropriate conditions exist.

In the light of that session, the Steering Board will, if necessary and having regard to the recommendations of the High Representative, revisit the question, including the option of referring key outstanding issues to arbitration. In addition, consideration may be given to pursuing steps to distribute relevant assets held abroad.

High Representative

107.The Steering Board commends the High Representative and his staff for their work. It emphasizes the importance of the High Representative's role in mobilizing, coordinating and giving guidance to the organizations and agencies involved in the civilian aspects of the peace implementation. It further expresses full support to him in making use of his authority under Annex 10 of the General Framework for Agreement for Peace and under Section X of the Bonn PIC Conclusions. In particular, the Steering Board fully approves and supports the interim binding decisions made by the High Representative and encourages him to make further recourse to such decisions, whenever he deems necessary.

108.The Steering Board reconfirms that it will further provide the High Representative with political guidance on peace implementation. It will continue to meet every 4-6 weeks at the appropriate level. Furthermore, the Steering Board agrees that financial implications will be addressed when taking any decision on additional tasks to be carried out by the High Representative.

109.The Steering Board underscores that conditions must be established in order for Bosnia and Herzegovina to become a modern country with the key elements of democratic institutions in place and the basic factors of ethnic confrontation removed: that requires a self-sustaining peace. The Steering Board asks the High Representative to submit for its consideration a report on the state of peace implementation in Bosnia and Herzegovina by mid-September. The report should focus on progress in relation to, inter alia, the following goals in the main areas:

•A significant mass of returns reached and the phased, orderly, peaceful return of refugees and displaced persons on a self-sustaining basis in significant numbers. •A self-sustaining and continuing cease-fire supported by transparent mechanisms for military to military cooperation. •A core of basic legislation that imposes the rule of law and the establishment of an independent judiciary. •Consolidation of free-market reforms, including a transparent privatisation that precludes political influence on the key economic sectors, and maintenance of an IMF program and effective free movement of goods, services and capital within Bosnia and Herzegovina. •The restructuring, re-integration, retraining and equipping of police in both Entities in accordance with democratic and professional standards. •The dissolution of illegal pre-Dayton institutions, with revenue and disbursement mechanisms brought under the control of legitimate authorities. •The regulation of media in accordance with democratic standards and the availability of free and independent media throughout Bosnia and Herzegovina. •The regular conduct of elections and implementation of election results in accordance with democratic standards. •Cooperation by the Parties to the Peace Agreement with the ICTY in the arrest and prosecution of war criminals. •The consolidation of multi-ethnic institutions and of a secure environment for returns in Brcko. •Full cooperation in peace implementation by neighbouring countries.

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UNITED
NATIONS

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S/1998/499
10 June 1998

ORIGINAL: ENGLISH

LETTER DATED 10 JUNE 1998 FROM THE PERMANENT REPRESENTATIVE OF ERITREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit a press release issued by the Ministry of Foreign Affairs of the State of Eritrea on 10 June 1998 in response to Ethiopia's unfounded allegation that Eritrea has expelled Ethiopian nationals from the country.

I should be grateful if you would kindly circulate this letter and its annex as a document of the Security Council.

(Signed) Haile MENKERIOS
Ambassador, Permanent Representative

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Annex

Press release issued by the Ministry of Foreign Affairs of Eritrea on 10 June 1998

Eritrea has not expelled Ethiopians from the country

The Ethiopian Government has alleged in a press statement issued by its Foreign Ministry yesterday, 9 June 1998, that "Eritrea has expelled 3,000 Ethiopians from the country". This allegation is a pure fabrication without any foundation and apparently intended to gain popular support for its declared war on Eritrea by inflaming hatred among Ethiopians.

There are over 100,000 Ethiopians residing in Eritrea and they continue to lead their daily lives without reprisals of any kind on account of the current crisis. However, when all foreigners in Eritrea are being evacuated from Asmara as a result of Ethiopia's threats of "an imminent and indiscriminate air strike" against the capital, it would not be surprising if some Ethiopians would want to leave the country of their own volition.

UNITED
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S/1998/500
11 June 1998

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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS POLICE SUPPORT GROUP

I. INTRODUCTION

1. In its resolution 1145 (1997) of 19 December 1997, the Security Council decided to establish, with effect from 16 January 1998, a support group of 180 civilian police monitors, to continue to monitor the performance of the Croatian police in the Danube region (hereafter referred to as "the region"), in particular in connection with the return of displaced persons, in accordance with the recommendations contained in paragraphs 38 and 39 of my report to the Council of 4 December 1997 (S/1997/953) and in response to a request from the Government of the Republic of Croatia. The present report is submitted pursuant to paragraph 15 of the same resolution, in which the Council requested me to inform it periodically and to report as necessary, and in any case no later than 15 June 1998, on the situation in the region. The present report provides an overview of the activities of the United Nations Police Support Group and an assessment of the situation in the region following the termination of the United Nations Transitional Administration in Eastern Slavonia, Baranja and Western Sirmium (UNTAES) on 15 January 1998.

II. POLICE SUPPORT GROUP OPERATIONS

2. The United Nations Police Support Group and the United Nations Liaison Office in Zagreb are jointly headed by my Representative, Mr. Souren Seraydarian. Mr. Halvor Hartz is the Police Commissioner for the Support Group. The headquarters of the Support Group is in Vukovar and it operates under the overall responsibility of a small substantive unit based in Zagreb. My Representative maintains close contact with the Government of Croatia on all pertinent issues related to the Support Group. He also maintains close contacts with the United Nations agencies in Croatia, in particular with the Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations High Commissioner for Human Rights, as well as other international organizations, especially the Organization for Security and Cooperation in Europe (OSCE).

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3. The transition from United Nations civilian police operations within the framework of UNTAES to those of the Support Group has been seamless. Some 180 civilian police monitors are deployed in 14 Croatian police stations in the region and within the departmental Croatian police headquarters in Vinkovci and Osijek, where they maintain round-the-clock coverage of police activities. The functions performed by the civilian police include monitoring local police operations at all levels; patrolling, including joint mobile patrols; participating in and following up case investigations by the local police until such cases are transmitted to a court or public prosecutor; human rights monitoring; and providing guidance and limited training to the local police force.

4. The modalities for conducting these tasks have been agreed between the Support Group and the Government of Croatia. To perform their functions, civilian police monitors, inter alia, collect information and data; interview victims, witnesses and authorities; visit displaced persons and institutions; and monitor public demonstrations and protests. The performance of the Croatian police is measured against international standards for law enforcement agencies as described in the "United Nations Criminal Justice Standards for Peacekeeping Police" (second edition, 1996).

Ethnic structure of the local police force

5. In its letter of 13 January 1997 (S/1997/27, annex), the Government of Croatia guaranteed proportional Serb representation, including at senior positions, in the police in the region. On the basis of that guarantee, a memorandum of understanding was concluded in July 1997 between the Government of Croatia and UNTAES on the ethnic composition and deployment of the police in the region in the post-UNTAES period. The memorandum provided that for the first year following the April 1997 elections, there would be 700 to 800 police posts for Serb and other non-Croat communities. After 14 April 1998, the ethnic composition of the force would be on a proportional basis, including senior positions.

6. At the conclusion of the United Nations transitional period on 15 January 1998, there were 812 Croats, 789 Serbs and 52 persons of other ethnicity serving in the police, with full proportionality in senior and command positions. Since that time, 101 Serb officers, most of whom had reached retirement age, have left the police, but full proportionality continues to be respected. Measures are being taken by the Assistant Minister of the Interior and his officers to counsel those intending to resign and to persuade them to remain. On 7 June, there were 794 Croats, 673 Serbs and 49 persons of other ethnicity serving in the police. The police force will gradually draw down to a strength of about 1,250 officers. The Government has stated that maintaining the ethnic balance of the reduced force will remain a priority.

7. Working conditions, salaries and welfare benefits within the local police force are now the same for all officers regardless of ethnicity, and no discriminatory practices are evident. Only a few inter-ethnic incidents have been reported. The Support Group continues to monitor closely the ethnic composition and working conditions of the police in the region.

The security situation in the region

8. Thanks to the high ratio of 1 police officer to 75 residents within the region (that ratio is about 1 to 220 in other parts of Croatia), the overall security situation in the region is relatively stable. The high level of policing has, however, not stopped ethnic intimidation. In the first four weeks of the Support Group's operations, an average of 42 incidents were reported each week. In the most recent four-week period, this has risen to an average of 54 reported incidents, with particular increase in ethnically related incidents. More than 15 per cent of the cases involve repeat offenders. Most cases of intimidation have occurred in the north of the region, where a greater number of Croat displaced persons have sought to return.

9. As the process of Croat returns to the region slowly accelerates, there has also been an increase in the number of housing-related intimidations. These incidents generally involve attempts by Croat homeowners to evict Serb displaced persons temporarily occupying their houses under the terms of the Agreement on the Operational Procedures of Return concluded by the Government of Croatia and UNTAES. The indigenous population of other ethnic origins which remained in the region after 1991 has recently become the target of intimidation.

Croatian police performance

10. Effective cooperation has been established between the Support Group and the local police. My Representative has maintained close regular contacts with the Minister of the Interior and the Assistant Minister of the Interior, who have been readily available to resolve emerging issues. In addition, the Police Commissioner of the civilian police and his staff maintain close daily links with local police commanders. Initial difficulties in ensuring full and unimpeded access of the civilian police to all police documents have been overcome, and free access is now being provided. Following démarches to the Ministry of the Interior, disciplinary measures, in most cases, have been taken against police officers who have obstructed the civilian police in the implementation of the mandate of the Support Group.

11. The level of training of police officers in the region varies. Croat officers have received police training, some up to degree level. Serb and other minority officers have received basic training and continue to receive in-service training. Regardless of background, the police in the region are generally professional, well equipped and capable of responding rapidly to events. In the vast majority of cases, they have acted promptly and pressed charges, usually of disturbing public peace and order, against those involved in incidents. Owing to a significant backlog, these cases have only recently begun to be dealt with by the courts within the region.

12. Police response to ethnically related incidents, evictions and housing intimidation cases is, however, not always satisfactory. This is of special importance, as 75 per cent of all incidents in the region relate to property disputes between potential returnees and resident displaced persons. On 9 January 1998, the Ministry of the Interior issued clear guidelines to the police on how to respond to cases of attempted eviction. The guidelines were intended to protect the right of displaced persons residing in the region to

remain in their houses until they are provided with appropriate alternative accommodation. On occasion, the guidelines have not been implemented. In other instances, they have only been implemented at the insistence of the civilian police monitors present at the incident. Failure to act promptly and effectively in such cases has strengthened the local perception that the police is partial.

13. Despite repeated promises, the Government of Croatia has been slow to publicize good police performance in the region. The media give little or no publicity to the official response to ethnically related offences or crimes. Police actions and court sentences also go largely unnoticed. At the same time, most court decisions on cases of disturbing public peace and order have resulted in small monetary fines that are not sufficient to deter offenders and prevent recidivism. As a result, the common perception is that harassment goes unpunished. This lack of confidence in the system lessens local faith in the police and the judiciary and results in a non-reporting of incidents by residents, irrespective of ethnicity.

14. In its presidential statement of 6 March 1998 (S/PRST/1998/6), the Security Council called upon the Government of Croatia, inter alia, to take measures, including through public information and police preventive action, to improve public confidence in the police as part of a wider programme of measures to prevent ethnically motivated crime. Only limited steps have recently been taken to raise the public profile of the police. While Serb and Croat local leaders have reported an improved level of confidence in the police force, much more needs to be done to improve the image of the police. Towards this end, the Support Group has urged the Ministry of the Interior to institute a community policing programme as a matter of priority.

15. While the overall performance of the police has improved since the beginning of the Support Group mandate, this has been largely the result of close and comprehensive civilian police monitoring. In the absence of international police monitors, some local police officers have contravened Croatian laws and normal professional standards. In addition, based on information available, Croatian police performance in the former United Nations Protected Areas remains uneven. This does not create a secure environment that is sufficient to give confidence to those considering returning to other parts of Croatia.

III. RETURN OF REFUGEES AND DISPLACED PERSONS

16. UNHCR estimates that, since late 1996, some 42,500 Serb residents and displaced persons have emigrated from Croatia. This figure includes more than 2,200 who have requested asylum in Norway. According to Government figures, 1,001 Serb children have withdrawn from school. This may be indicative of the level of Serb population movements. Departures are motivated by a combination of factors: continued security incidents and ethnically related intimidations; a dire economic situation; bureaucratic hurdles; discriminatory legislation; and a stalled two-way return programme.

17. UNHCR also reports that of the more than 33,200 Serb displaced persons registered in 1997, only 12,600 remain in the region. Up to 12,000 Serb displaced persons have returned from the region to their homes in other parts of Croatia. Most of these returns have taken place outside the Agreement on the Operational Procedures of Return, resulting in difficulties for displaced persons in obtaining necessary documents and benefits. The number of those wishing to return within Croatia is, however, declining. Since the termination of UNTAES, only 334 Serb displaced persons have returned to their homes in other parts of Croatia within the agreed mechanisms.

18. Returns of Croat displaced persons to the region have been slow, owing mainly to the lack of economic growth and employment possibilities in the region and also to the desire to maintain displaced person benefits and assistance. The Government states that around 15,000 Croats have, so far, returned to the region. Based on observations on the ground, it appears likely that many of those returnees are only weekend residents who are repairing their houses while retaining homes elsewhere in Croatia (which are not necessarily theirs). According to Government figures, Croat school enrolments in the region have increased by only 341 since the start of the school year. It is expected, however, that significant numbers of Croat displaced persons may return following the end of the school year in June.

19. The Croatian Government Real Estate Agency has reported that it has purchased 1,071 houses from Serbs wishing to sell their property throughout Croatia. This figure includes 400 houses that have been purchased in the region. Of those 400 houses, the Government reports that it has leased 104 to Serb displaced persons who had moved out of the houses they were occupying following pressure from original Croat homeowners.

20. At the national level, core issues related to the return of displaced persons, such as the abolishment of discriminatory property laws and the establishment of effective mechanisms that would allow owners to recover their properties, remain unresolved. Although the promised rescission of the Law on the Temporary Take-Over of Property and Administration of Specified Property and the Law on the Lease of Apartments in the Liberated Areas is welcome, the original drafts prepared by the Government do not introduce mechanisms that would allow legitimate owners to recover their property in a comprehensive and non-discriminatory manner.

21. Serb displaced persons in the region are actively encouraged by the local housing commissions of municipalities (with Croat majorities) to go to collective centres instead of being provided with alternative accommodation, as foreseen by the tripartite Agreement on the Operational Procedures of Return. Continued intimidation and the absence of property restitution have resulted in some of them accepting accommodation in such centres, despite the fact that there are hundreds of available vacant houses and apartments in the region that owners have either left or to which they have not come back. According to the local authorities, more than 600 units of housing remain vacant in Beli Manastir and 1,500 in the Vukovar-Sirmium County. The plight of those who have been referred to collective centres should be urgently addressed, and referrals by housing commissions to such centres should stop.

22. On 16 September 1997, the Government announced a property restitution programme to enable owners to recover their property. To date, however, not a single Serb displaced person has been able to return to his/her occupied home through this programme. On 15 May 1998, it was announced that the Government would finance reconstruction of 1,200 houses for Bosnian Croat returnees in the central Bosnian canton. In contrast, only 21 displaced Croatian citizens of Serb ethnic origin in the region have received cash grants for the repair of slightly damaged houses. No grants have been provided for more seriously damaged houses.

23. On 27 April 1998, the Croatian Sabor adopted refugee return procedures that contained serious flaws. Following action by the international community, including the postponement of a proposed reconstruction conference, the Government issued mandatory instructions that took into consideration some of the concerns of the international community. The Government's step was welcomed by the Security Council, which stated its intention to follow closely the implementation of the instructions. The Council also looked forward to the elaboration of the comprehensive return plan.

IV. THE SITUATION IN THE DANUBE REGION

24. In its resolution 1145 (1997) the Security Council reiterated, inter alia, the continuing obligation of the Government of Croatia, under the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (S/1995/951, annex), to respect the highest standards of human rights and fundamental freedoms and to promote an atmosphere of confidence among local residents regardless of ethnic origin. The Council called upon the Government of Croatia to implement fully and promptly all of its obligations and commitments, including those reached with UNTAES, with regard to the region.

25. In its presidential statement of 6 March 1998 (S/PRST/1998/6), the Council called upon the Government of Croatia to take prompt and unequivocal steps to ensure the safety, security and rights of all Croatian citizens and to build confidence among the Serb community throughout Croatia, including by providing promised funding for the Joint Council of Municipalities. These steps were to include measures to create the conditions to allow local Serbs to remain in the region, to facilitate the return of refugees and displaced persons and to address practical and economic issues that inhibit returns. The Council also called upon the Government to establish clear procedures for the documentation of refugees from Croatia, to issue an equitable plan for nationwide two-way returns, to implement fully and fairly its legislation on amnesty, to act promptly to pass equitable property and tenancy rights legislation that would encourage returns and stimulate additional international reconstruction assistance, to ensure fair employment benefit practices and equal economic opportunity and to ensure the non-discriminatory application of the rule of law.

Implementation of agreements

26. Since the termination of UNTAES, the Government of Croatia has met the majority of its obligations concerning the provision of public services and employment within the public sector. Most workers in public enterprises and

institutions continue to enjoy employment rights. Of those who left their places of employment, many did so as a result of a decision to leave Croatia; others retired or accepted early retirement pensions. All workers, in line with agreements on the education, health and public utility sectors, were able to retain positions within the region. Training courses have been offered to upgrade their skills. Although the Government has issued an instruction on the deferment of military service, the provisions for Serb displaced persons who have returned to their homes elsewhere in Croatia are not fully in line with Government commitments.

27. The Law on Convalidation, passed in October 1997, recognized, inter alia, the years of work of employees under the "Republika Srpska Krajina (RSK)" regime. In April 1998, implementation decrees were issued for the Convalidation Law. There is, however, still no consistent administrative procedure for implementation of the law for all public enterprises and institutions. To date, the overwhelming majority of workers have not received confirmation of years of prior service, nor have their workbooks been updated to reflect this. Without this, workers who retired after reintegration or who paid into the regional ("RSK") pension plan cannot collect pension benefits. The failure to clarify this issue undermines the implementation of the Convalidation Law and will have a severe impact on the recognition of the years of service of all public employees and on the Pension agreement.

Progress in reconciliation

28. There has been almost no progress in reconciliation since my final report on UNTAES of 22 January 1998 (S/1998/59). At the national level, the programme continues to be pursued within the framework of the National Committee for the Establishment of Trust, but this is not evident at the municipal level throughout Croatia. In many instances, local authorities view reconciliation committees as a mechanism for solving problems related to returning Croat displaced persons rather than for re-establishing confidence between ethnic communities. In some areas of Serb return, reconciliation committees have not been formed. Although the national media have displayed a more conciliatory line, programmes and articles continue to be produced that do not contribute to the creation of an atmosphere conducive to reconciliation.

Implementation of the Amnesty Law

29. The Government of Croatia has published a list of 13,575 Serbs to whom the Amnesty Law applies. Because this list is not exhaustive and courts continue to issue lists of individuals not covered by the Amnesty Law, this step has failed to reassure the inhabitants of the region. To counter this, the Minister of Justice has repeatedly given assurances that, in the absence of new evidence, there are no lists of non-amnestied persons, with the exception of 25 known cases where the indictees would be able to appeal against their in absentia convictions. These 25 cases are, however, not proceeding, as the local court has delayed the review of the cases. Recently, some senior Croatian judiciary officials made statements that go contrary to the assurances previously provided by the Minister of Justice and commitments repeatedly stated by the Government of Croatia on amnesty. In addition, four Serbs were detained in the region and charged with common crimes they had allegedly committed while serving in

paramilitary units during the time of the conflict. These arrests have added to the fears of the local Serb community.

Functioning of local municipalities

30. With the exception of Vukovar, almost all the municipalities within the region are functioning. Cooperation between Croat and Serb councillors ranges from minimal to normal interaction, as in the case of Beli Manastir. The Vukovar City Council remains completely deadlocked because of disagreements over the distribution of functions within the city administration, the allocation of resources and the absence of any effort to enhance reconciliation between ethnic communities. As the locally elected representatives of both the Independent Serb Democratic Party (SDSS) and the Croatian Democratic Union (HDZ) could not resolve the problems, the SDSS has sought senior national-level HDZ intervention, but without result.

31. Recently, the Croat Returnee Association, encouraged by some Croat local officials, called for early elections in a number of municipalities where Serbs had obtained a majority in the 1997 elections, on the grounds that large numbers of Serbs had since left. Although senior Croatian officials stated that the Government would not support this move, the Association is persisting in its initiative. This is a potentially serious issue. Holding elections in selected municipalities would mean a revision of the results of the election organized and certified under UNTAES and endorsed by the Security Council only one year ago.

The Joint Council of Municipalities

32. The Joint Council of Municipalities has received 710,000 kuna (about 113,000 dollars) in temporary funding. These funds have been almost completely utilized to cover past expenditures. Under an agreement with the Government, the Council has reduced its staffing to 37. There has, however, been no progress in the finalization of its status and the establishment of its permanent funding.

Economic reconstruction

33. The Government of Croatia has acknowledged that the poor economic situation and unemployment are major obstacles to overall progress in the region, but little has been done to redress these problems. There has been no significant private or public investment in the region, particularly in the city of Vukovar. The measures proposed and, in some cases, taken by the Croatian Privatization Fund have increased unemployment and created anxiety among the residents about their economic future. Serb employees have also been disenfranchised from participating in the privatization process.

34. The Support Group, with contributions from the Governments of Belgium, Norway and the United States of America, is implementing a number of projects in the region. These include the reconstruction and building of an apartment block, two pensioners' homes, a kindergarten and a school; the provision of educational equipment for schools; and demining. These projects will be completed by 1 July 1998. The Support Group has encouraged Governments and

non-governmental organizations to conduct workshops to facilitate confidence-building and the provision of specific skills.

The Article 11 Commission

35. The Article 11 Commission, formed under the provisions of article 11 of the Basic Agreement, is playing an increasingly important role in focusing international attention on the Danube region and on issues affecting it. The Commission is made up of most of the Zagreb-based ambassadors, the heads of UNHCR, OSCE and the European Commission Monitoring Mission (ECMM) and my Representative. The Commission has been a key instrument in encouraging the Government of Croatia to meet its commitments fully and in underscoring continued international commitment to the successful completion of peaceful reintegration.

V. COOPERATION WITH THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE

36. The Support Group has cooperated closely with OSCE. Effective coordination between the two is ensured by a weekly heads of mission meeting in Zagreb and twice-weekly coordination meetings in the region. This coordination has enhanced the efficiency of operations and prevented the duplication of activities.

37. The Support Group continues to provide advice to OSCE on the reintegration process and on agreements concluded by UNTAES with the Government of Croatia, which OSCE now has the responsibility of monitoring. These agreements include the reintegration of all public services, employment contracts, the provision of social services and monitoring the judicial system.

38. UNHCR continues to play the lead role in issues related to refugees, displaced persons and the Joint Working Group on Returns. OSCE has replaced UNTAES within the Joint Working Group, and the United Nations Liaison Office in Zagreb has been accorded observer status. In the region, the Support Group's monitoring of the police response to cases related to returns of displaced persons is complemented by OSCE monitoring of the activities of the return-related civilian agencies, including the housing commissions.

39. On 31 March 1998, my Representative wrote to the Head of the OSCE Mission in Croatia inviting OSCE to begin appropriate contingency planning for the intended transfer of the police monitoring function in the region to that organization. In early May 1998, my Representative held further discussions on this issue with the Secretary-General of OSCE, the OSCE Chairmanship and the OSCE Troika in Vienna. During those discussions, my Representative emphasized that, in order to ensure effective monitoring, it would be necessary to have a sufficient number of qualified police officers with the same broad competencies and operating under the same conditions as the Support Group. Most importantly, there should be no gap between the incoming and outgoing operations. A decision by the Permanent Council of OSCE on police monitoring in the region is still pending.

VI. OBSERVATIONS

40. As I noted in my report of 22 January 1998 (S/1998/59), President Tudjman, at a ceremony marking the end of the UNTAES mandate, reiterated his Government's intention to honour its commitments and vowed not to allow extremist elements to undermine the achievements of UNTAES. Since 15 January 1998, there has been progress on a number of issues that remained outstanding at the end of the UNTAES mandate. However, core issues still remain unresolved, including the abolishment of discriminatory property laws and the establishment of effective mechanisms that would allow owners to recover their property. The Government also still has to adopt a comprehensive nationwide programme for returns and to develop a balanced reconstruction plan.

41. In the region, continued ethnically related intimidations and incidents, a dire economic situation and the unresolved core issues mentioned above have prompted many Croatian citizens of Serb origin residing in the region to leave the country. A wide gap continues to exist between commitments reconfirmed repeatedly at the highest official level and implementation at lower levels. These factors combine to produce a perception among the local Serb population that they have no future in Croatia.

42. With the large Croatian police presence, it has been possible to maintain an overall stable security situation in the region. However, despite improvements in police performance, much work remains to be done before the police enjoys local confidence and proves itself to be capable of effectively and impartially policing a multi-ethnic community. As noted in paragraphs 10 to 15 above, the generally satisfactory police performance is largely due to comprehensive monitoring by the Support Group and the special attention paid to the situation in the region by the Ministry of the Interior. In the absence of international monitoring, police performance would be likely to deteriorate as a result of failure to comply with professional standards or with provisions of Croatian law. A continuation of international police monitoring would, therefore, seem to be essential both to increase local confidence and to ensure that acceptable standards of policing are maintained.

43. It must be stressed that the improving performance of the Croatian police in the region is not sufficient by itself to offset the range of outstanding problems that create a climate that fosters ethnic hatred, intolerance and intimidation. Without strong Government preventive action to discourage intimidation by publicly stressing the equality of all citizens before the law and addressing the outstanding root causes of these incidents, especially property-related issues, as well as prompt, effective and publicized court action to punish offenders, it will not be possible to bring these incidents under control, irrespective of police efficiency.

44. A key element in building and maintaining multi-ethnic communities is economic development. Although reconstruction is an important element in this, it is not sufficient only to provide housing for residents. Without employment opportunities, the original residents in the region are unlikely to remain, and Croat displaced persons are unlikely to wish to return.

45. It is expected that returns of Croat displaced persons will accelerate after the end of the school year. Unless there is full implementation of the reconciliation programme at all levels throughout Croatia, as well as the introduction of effective mechanisms to enable two-way returns and property restitution, the possibility exists that ethnically motivated incidents might increase at that time. Under such conditions, Serb departures will continue and may gather momentum during the summer months.

46. Provided that the Government takes major steps to resolve these problems, that the return of Croat displaced persons to the region proceeds without increased ethnic incidents and that police performance continues to improve, it would be my intention to downsize the Support Group operation gradually beginning in August, with the goal of reaching a level of 140 civilian police monitors by the end of that month and a level of 120, by the end of September. It would also be my intention to submit a further report by mid-September detailing the arrangements for the termination of the Support Group mandate by 15 October.

47. In the meantime, I have instructed my Representative to establish a timetable for the handover of the Support Group's functions to OSCE, in the expectation that the Permanent Council of that organization will confirm its readiness to assume responsibility for police monitoring in the region from 16 October 1998.

48. Finally, I should like to thank my Representative, Mr. Souren Seraydarian, as well as the Police Commissioner, Mr. Halvor Hartz, and the personnel under their command, for their dedication and perseverance in carrying out the tasks entrusted to them by the Security Council.

Annex

Composition of the civilian police elements of the United Nations Police Support Group as at 3 June 1998

Nationality	Civilian police
Argentina	6
Austria	8
Denmark	7
Egypt	8
Fiji	8
Finland	11
Indonesia	6
Ireland	10
Jordan	8
Kenya	9
Lithuania	8
Nepal	5
Nigeria	5
Norway	15
Poland	4
Russian Federation	3
Sweden	10
Switzerland	3
Tunisia	13
Ukraine	8
United States of America	22
Total	177

UNITED NATIONS **S**

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S/1998/501
11 June 1998

ORIGINAL: ENGLISH

LETTER DATED 11 JUNE 1998 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communication, dated 11 June 1998, which I have received from the Secretary-General of the North Atlantic Treaty Organization.

I should be grateful if you would bring it to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

98-16562 (E) 120698

/...

Annex

Letter dated 11 June 1998 from the Secretary-General of the North Atlantic Treaty Organization addressed to the Secretary-General

In accordance with Security Council resolution 1088 (1996), I attach the seventeenth monthly report on operations of the Stabilization Force (SFOR). I would appreciate your making this report available to the Security Council.

(Signed) Javier SOLANA

Appendix

Seventeenth monthly report to the Security Council on the operations of the Stabilization Force

1. There are approximately 35,000 troops currently deployed in Bosnia and Herzegovina and Croatia, with contributions from all countries of the North Atlantic Treaty Organization (NATO) and from 20 non-NATO countries.

2. Over the reporting period (21 April-20 May), the Stabilization Force (SFOR) continued to conduct surveillance and reconnaissance by means of ground and air patrols. Approximately 2,200 sorties were flown by combat aircraft, with the SFOR helicopter fleet flying approximately 150 hours.

3. Over the reporting period, SFOR continued to secure the transmission towers used by Srpska Radio Television (SRT) at Duga Nijva, Udrigovo and Veliki Zep in Multinational Division North (MND(N)), and at Trebevic and Leotar in MND (South-East). In line with the SRT Restructuring Agreement which was concluded by the Office of the High Representative in February, SFOR began a phased operation on 20 May to withdraw from the five towers, withdrawing first from the sites at Leotar, Udrigovo and Duga Nijva. Following withdrawal, SFOR will contribute to ensuring SRT compliance with the Restructuring Agreement by media monitoring, routine patrols of the tower sites and unannounced technical inspections of the SRT tower equipment. SFOR and personnel of the Office of the High Representative retain free, unrestricted and immediate access to the towers.

4. SFOR has stepped up its operations near the border with the Federal Republic of Yugoslavia, in order to use its existing authorities under Annex I A of the Peace Agreement to help ensure compliance with the prohibition on the transport of weapons established by Security Council resolution 1160 (1998).

Cooperation and compliance by the parties

5. The parties remain generally compliant with most military provisions of the Peace Agreement across the whole area of operations. However, over the reporting period, the return of refugees and displaced persons led to increased tension in a number of areas, most notably in the Federation, in Derventa and Drvar and in MND(North) and MND(South-West).

6. On 23 April, at Derventa, violence occurred at a Catholic mass which had been organized in the village. Stones and Molotov cocktails were thrown by a crowd of approximately 400 at SFOR buses transporting Bosnian Croats to the village to celebrate mass. No injuries were reported. SFOR troops and members of the United Nations International Police Task Force (IPTF) succeeded in preventing the crowd from entering the church, which was subsequently evacuated, and the Bosnian Croats were escorted from the village by SFOR troops.

7. On 24 April, in Drvar, Bosnian Serbs and Croats clashed at a former Bosnian Croat Army barracks in the town, which was being used as a resettlement site for Bosnian Serb refugees. Bosnian Croats took over the Bosnian Serb

Communal Council building, and set fire to vehicles belonging to international organizations and to a number of buildings in the town, including the United Nations civilian affairs offices and the IPTF station. The Bosnian Serb mayor of the town was injured. SFOR troops dispersed the rioters, and officials of the Office of the United Nations High Commissioner for Refugees (UNHCR) subsequently escorted the Bosnian Serb refugees from Drvar to Banja Luka.

8. In addition, during the last week of April, 15 explosions and arson attacks in Stolac in MND(South-East) destroyed at least 6 Bosniac-owned houses, bringing to 31 the number of houses destroyed in the area since 1 January. An additional 12 were damaged over the same period.

9. Over the reporting period SFOR conducted a total of 301 inspections of military weapons storage sites: 92 Bosniac; 70 Bosnian Croat; 120 Bosnian Serb; and 19 Federation. The following weapons were confiscated: from the Bosnian Serbs, three 90 mm tank shells and six hand grenades; from the Bosniacs, 1,600 rounds of 7.9 mm ammunition and 4,420 rounds of 7.62 mm ammunition; and from the Bosnian Croats, five 82 mm mortar rounds. In accordance with SFOR policy, those confiscated weapons will be destroyed, after a period of time to allow for appeals.

10. SFOR supported 64 IPTF-led inspections of local police stations over the reporting period, 23 in the Republika Srpska and 41 in the Federation. During those inspections, the following weapons were confiscated: from the Federation 24 rifles, 2 pistols, 26 grenades, 13 mines, 1 long-barrelled weapon and 4,429 small arms rounds; from the Republika Srpska, 1 rifle, 15 grenades, 3 long-barrelled weapons and 79 small arms rounds.

11. Over the reporting period SFOR and IPTF dismantled 10 unauthorized checkpoints, 1 in the Federation and 9 in the Republika Srpska.

12. SFOR monitored 1,034 training and movement activities over the reporting period: 244 Bosniac; 42 Bosnian Croat, 648 Bosnian Serb and 100 Federation. Owing to non-compliance with the implementation of the common licence plate programme (see para. 14 below), bans have been imposed until further notice on the 121st and 820th Bosniac Army Brigade, on the 2nd Bosnian Croat Guard Brigade, on the Bosnian Croat instruction centre and on the reserve units of the 512th Bosnian Serb Brigade.

13. SFOR monitored 608 demining operations: 236 Bosniac; 174 Bosnian Croat; 184 Bosnian Serb; and 14 Federation. A total of 189 anti-tank mines, 1,290 anti-personnel mines and 105 items of unexploded ordnance were removed. There are currently no bans imposed on the entity armed forces for non-compliance with demining operations. However, a training and movement ban was placed on the Bosnian Serb Reserve Forces in MND(South-West), from 3 to 19 May, for non-compliance with countermining operations.

14. SFOR continues to monitor and to encourage compliance with the common licence plate programme. While the civilian implementation of the programme has been delayed until 31 August, military implementation began on 1 May. Consequently, SFOR has monitored all routine patrols and inspections of military convoys in Bosnian and Herzegovina for compliance with the programme. As

reported in paragraph 12, bans have been placed on a number of units because of non-compliance.

15. The overall ban imposed upon all activities of the Republika Srpska Police Anti-Terrorist Brigade has not yet been lifted, owing to the Brigade's continuing non-compliance with the instructions of the SFOR Commander. However, following a complete review by SFOR of Unit 5 of the Anti-Terrorist Brigade in Doboj, it was decided to re-certify the unit. Consequently, on 11 May, SFOR issued weapons permit identification cards, weapons and ammunition to 103 specialist policemen in Doboj, together with 10 vehicles and various types of secure communication equipment.

16. On 14 May, SFOR and IPTF conducted joint compliance inspections of all civil and specialist police premises in the Pale area, in the wake of the recent move of the Republika Srpska Government from Pale to Banja Luka. As authorized under the provisions of the Peace Agreement, IPTF, supported by SFOR, inspected civil law enforcement facilities, while SFOR troops inspected six other facilities in Pale to ensure compliance by the Specialist Police. The Republika Srpska local authorities and the Bosnian Serb army and police representatives were consulted at all stages of the operation in order to verify the legitimacy of all personnel and activities, and all international organizations and agencies were notified. Five military police officers from the Bosnian Serb 505th Brigade were detained in the Pale police station because they had no identity cards, and their arms were confiscated. Inspections of 15 public buildings and facilities in Pale were also conducted, without incident.

Cooperation with international organizations

17. Within its capabilities, SFOR continues to provide assistance to the international organizations in theatre, working routinely with the Organization for Security and Cooperation in Europe (OSCE), the Office of the High Representative, IPTF, the International Tribunal for the Former Yugoslavia and UNHCR.

18. In the light of recent violent disturbances related to the return of displaced persons and refugees, most notably in Drvar at the end of April, the SFOR Commander, the High Representative and other principals agreed on the need to establish a working-level mechanism to forestall future such disturbances elsewhere. Accordingly, the Office of the High Representative has set up an Inter-Agency Planning Group to enhance cooperation between the various organizations in theatre. SFOR will participate in the Group, together with the Office of the High Representative, the Special Representative of the Secretary-General, IPTF, OSCE, UNHCR and the European Community's Monitoring Mission. The inaugural meeting of the Planning Group was held on 7 May 1998. In parallel with the establishment of the Group, and in order to assist in the return of displaced persons and refugees, SFOR also established action groups at theatre and MND level. Their mission is to harmonize and direct SFOR efforts to assist displaced persons and refugees, and to provide the linkages between SFOR and the theatre and regional local structures of the Reconstruction and Return Task Force and UNHCR. In addition, SFOR will establish a common return database, and conduct information operations on themes related to displaced persons and

refugees. It will also continue to conduct surveys to support returns of displaced persons and refugees.

19. SFOR continues to support the installation phase of the municipal elections, through the OSCE Election Results Implementation Committees at national and local levels, and through the provision of a secure environment, area security and support to IPTF.

20. SFOR also continues to provide assistance to the Office of the High Representative in the field of civil air traffic, most notably assisting in the development of operations at Sarajevo airport and continuing to work to enable Mostar airport to open to commercial traffic in the near future.

Outlook

21. Returns of displaced persons and refugees are likely to continue to be accompanied by acts of intimidation and violence. SFOR will help ensure the provision of a secure environment to facilitate returns.

22. The detailed planning is now in place for the seamless continuation of SFOR beyond the end of its current mandate on 20 June, subject to an appropriate resolution of the Security Council.

UNITED
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15 June 1998

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AND RUSSIAN

France, Germany, Italy, Japan, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia, including resolutions 1031 (1995) of 15 December 1995, 1035 (1995) of 21 December 1995, 1088 (1996) of 12 December 1996, 1144 (1997) of 19 December 1997 and 1168 (1998) of 21 May 1998,

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Underlining its commitment to supporting implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the Annexes thereto (collectively the Peace Agreement, S/1995/999, annex),

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational stabilization force (SFOR), the Special Representative of the Secretary-General and the personnel of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) including the Commissioner and personnel of the International Police Task Force (IPTF), and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Underlining once again the important role for the Republic of Croatia and the Federal Republic of Yugoslavia to play in the successful development of the peace process in Bosnia and Herzegovina,

Stressing that a comprehensive and coordinated return of refugees and displaced persons throughout the region is crucial to lasting peace,

Taking note of the declaration of the Peace Implementation Council Steering Board in Luxembourg on 9 June 1998 (S/1998/498, annex) and the conclusions of its previous meetings,

Having considered the report of the Secretary-General of 10 June 1998 (S/1998/491),

Noting the report of the High Representative of 9 April 1998 (S/1998/314),

Determining that the situation in the region continues to constitute a threat to international peace and security,

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Acting under Chapter VII of the Charter of the United Nations,

I

1. Reaffirms once again its support for the Peace Agreement, as well as for the Dayton Agreement on implementing the Federation of Bosnia and Herzegovina of 10 November 1995 (S/1995/1021, annex), calls upon the parties to comply strictly with their obligations under those Agreements, and expresses its intention to keep the implementation of the Peace Agreement, and the situation in Bosnia and Herzegovina under review;

2. Reiterates that the primary responsibility for the further successful implementation of the peace process lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Former Yugoslavia, in strengthening joint institutions and in facilitating returns of refugees and displaced persons;

3. Reminds the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and underlines that full cooperation by States and entities with the International Tribunal includes, inter alia, the surrender for trial of all persons indicted by the Tribunal and provision of information to assist in Tribunal investigations;

4. Emphasizes its full support for the continued role of the High Representative in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that the High Representative is the final authority in theatre regarding the interpretation of Annex 10 on civilian implementation of the Peace Agreement and that in case of dispute he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as

elaborated by the Peace Implementation Council in Bonn on 9 and 10 December 1997;

5. Expresses its support for the declaration of the Luxembourg Peace Implementation Council Steering Board;

6. Recognizes that the parties have authorized the multinational force referred to in paragraph 10 below to take such actions as required, including the use of necessary force, to ensure compliance with Annex 1-A of the Peace Agreement;

7. Reaffirms its intention to keep the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 18 and 25 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

II

8. Pays tribute to those Member States who participated in the multinational stabilization force established in accordance with its resolution 1088 (1996) and welcomes their willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational stabilization force;

9. Notes the support of the parties to the Peace Agreement for the continuation of SFOR set out in the declaration of the Luxembourg Peace Implementation Council Steering Board;

10. Authorizes the Member States acting through or in cooperation with the organization referred to in Annex 1-A of the Peace Agreement to continue for a further planned period of 12 months the multinational stabilization force (SFOR) as established in accordance with its resolution 1088 (1996) under unified command and control in order to fulfil the role specified in Annex 1-A and Annex 2 of the Peace Agreement and expresses its intention to review the situation with a view to extending this authorization further as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

11. Authorizes the Member States acting under paragraph 10 above to take all necessary measures to effect the implementation of and to ensure compliance with Annex 1-A of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for compliance with that Annex and shall be equally subject to such enforcement action by SFOR as may be necessary to ensure implementation of that Annex and the protection of SFOR, and takes note that the parties have consented to SFOR's taking such measures;

12. Authorizes Member States to take all necessary measures, at the request of SFOR, either in defence of SFOR or to assist the force in carrying out its mission, and recognizes the right of the force to take all necessary measures to defend itself from attack or threat of attack;

13. Authorizes the Member States acting under paragraph 10 above, in accordance with Annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures established by the Commander of SFOR, governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

14. Requests the authorities in Bosnia and Herzegovina to cooperate with the Commander of SFOR to ensure the effective management of the airports of Bosnia and Herzegovina, in the light of the responsibilities conferred on SFOR by Annex 1-A of the Peace Agreement with regard to the airspace of Bosnia and Herzegovina;

15. Demands that the parties respect the security and freedom of movement of SFOR and other international personnel;

16. Invites all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraph 10 above;

17. Recalls all the agreements concerning the status of forces as referred to in Appendix B to Annex 1-A of the Peace Agreement, and reminds the parties of their obligation to continue to comply therewith;

18. Requests the Member States acting through or in cooperation with the organization referred to in Annex 1-A of the Peace Agreement to continue to report to the Council, through the appropriate channels and at least at monthly intervals;

* * *

Reaffirming the legal basis in the Charter of the United Nations on which the IPTF was given its mandate in resolution 1035 (1995),

III

19. Decides to extend the mandate of UNMIBH, which includes the IPTF, for an additional period terminating on 21 June 1999, and also decides that the IPTF shall continue to be entrusted with the tasks set out in Annex 11 of the Peace Agreement, including the tasks referred to in the Conclusions of the London, Bonn and Luxembourg Conferences and agreed by the authorities in Bosnia and Herzegovina;

20. Requests the Secretary-General to keep the Council regularly informed on the work of the IPTF and its progress in assisting the restructuring of law enforcement agencies, and to report every three months on the implementation of the mandate of UNMIBH as a whole;

21. Reiterates that the successful implementation of the tasks of the IPTF rests on the quality, experience and professional skills of its personnel, and once again urges Member States, with the support of the Secretary-General, to ensure the provision of such qualified personnel;

22. Reaffirms the responsibility of the parties to cooperate fully with, and instruct their respective responsible officials and authorities to provide their full support to, the IPTF on all relevant matters;

23. Reiterates its call upon all concerned to ensure the closest possible coordination between the High Representative, SFOR, UNMIBH and the relevant civilian organizations and agencies so as to ensure the successful implementation of the Peace Agreement and of the priority objectives of the civilian consolidation plan, as well as the security of IPTF personnel;

24. Urges Member States, in response to demonstrable progress by the parties in restructuring their law enforcement institutions, to intensify their efforts to provide, on a voluntary-funded basis and in coordination with the IPTF, training, equipment and related assistance for local police forces in Bosnia and Herzegovina;

25. Also requests the Secretary-General to continue to submit to the Council reports from the High Representative, in accordance with Annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996 (S/1996/1012), on the implementation of the Peace Agreement and in particular on compliance by the parties with their commitments under that Agreement;

26. Decides to remain seized of the matter.

UNITED
NATIONS

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S/1998/503
12 June 1998

ORIGINAL: ENGLISH

LETTER DATED 12 JUNE 1998 FROM THE DEPUTY PERMANENT REPRESENTATIVE OF PORTUGAL TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you the text of the press release issued on 2 June 1998 by the United Nations Observer Mission in Angola, on the situation in Angola (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) José Tadeu SOARES
Ambassador
Deputy Permanent Representative of Portugal
to the United Nations

98-16638 (E) 120698

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Annex

Press release issued by the United Nations Observer Mission in Angola

ANGOLA: TROIKA DEPLORES FURTHER DELAYS BY THE NATIONAL UNION FOR THE TOTAL INDEPENDENCE OF ANGOLA IN THE NORMALIZATION OF STATE ADMINISTRATION

The troika of observer States to the Angolan Peace Process today deplored continuing delays by the National Union for the Total Independence of Angola (UNITA) in the conclusion of the extension of State administration, in particular in Andulo, N'Harea, Bailundo and Mungo. UNITA has so far returned to the Central Government two hundred seventy-two (272) of the three hundred thirty-five (335) areas it used to control.

The Ambassadors of Portugal, the Russian Federation and the United States of America today took part in a follow-up meeting of the Joint Commission to discuss UNITA's new proposal to conclude that exercise by the end of June.

It is recalled that the Special Representative of the Secretary-General in Angola, Maitre Alioune Blondin Beye, had presented to the parties a plan to overcome the current deadlock in the peace process.

After a tour of Zambia, Namibia and Zimbabwe, where he had met with the Heads of State of the three countries, Maitre Beye travelled to Andulo on Saturday at the request of UNITA's leader to discuss the implementation of his plan by UNITA. The three ambassadors were also present.

The UNITA leadership argues that the current security situation in the country is not conducive to the return of the so-called four sensitive areas, but that it would nevertheless continue to honour its commitment to the peace process by agreeing to start the second stage of the three-stage normalization process between 17 and 21 June. The process would be completed by the end of June, according to UNITA.

The Special Representative of the Secretary-General announced that he would likely travel this week to New York to hold consultations with the Secretary-General of the United Nations on the latest developments in the peace process. The Security Council will review a report from the Secretary-General on Angola later this month.

The Joint Commission also discussed the security situation in the country and condemned what seems to be an obvious attempt to isolate the province of Malange by an organized pattern of attacks and ambushes.

The Commission condemned an armed attack against a convoy belonging to a non-governmental organization, Worldvision, in the vicinity of Malange. The Joint Commission also reminded the Government that the Observer Mission must first be notified of the movements of its armed forces.

On the other hand, as part of its verification exercise on UNITA's effective demilitarization, the Observer Mission confirms the existence of now demobilized UNITA forces in the provinces of Uige, Malange, Lunda Norte, Lunda Sul and Bie. UNITA had declared earlier in March that it had completed the demilitarization of its forces.

But the Joint Commission could not confirm an alleged concentration of UNITA military forces at the confluence of the Lomba and Camaxilo rivers.

The Joint Commission will meet again tomorrow in a follow-up meeting to review the State media's reporting of the security situation. The Commission had agreed that no allegations of incidents should be reported without prior confirmation by the Observer Mission.

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Draft resolution

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions, in particular resolution 1127 (1997) of 28 August 1997,

Reaffirming its firm commitment to preserve the unity, sovereignty and territorial integrity of Angola,

Expressing its grave concern at the critical situation in the peace process, which is the result of the failure by the União Nacional para a Independência Total de Angola (UNITA) to implement its obligations under the "Acordos de Paz" (S/22609, annex), the Lusaka Protocol (S/1994/1441, annex), relevant Security Council resolutions and the plan for the completion by 31 May 1998 of the remaining tasks of the Lusaka Protocol, which was submitted by the Special Representative of the Secretary-General to the Joint Commission on 15 May 1998,

Recalling the statement of its President of 22 May 1998 (S/PRST/1998/14),

Recognizing the steps taken by the Government of Unity and National Reconciliation (GURN) to fulfil its obligations under the above-mentioned plan to cease the dissemination of hostile propaganda on State-controlled media and to reduce cases of abuse by the Angolan National Police,

Taking note of the statement of 2 June 1998 issued by the United Nations Observer Mission in Angola (MONUA) regarding the continued existence of non-demobilized UNITA forces (S/1998/503, annex),

A

1. Condemns UNITA, and holds its leadership responsible, for its failure to implement fully its obligations contained in the Lusaka Protocol, relevant Security Council resolutions, in particular resolution 1127 (1997), and the plan submitted by the Special Representative of the Secretary-General to the Joint Commission;

2. Demands that UNITA fully cooperate without conditions in the immediate extension of State administration throughout the national territory, including in particular in Andulo, Bailundo, Mungo and Nharea, and stop any attempts to reverse this process;

3. Reiterates its demand that UNITA complete its demilitarization and stop any attempts to restore its military capabilities;

4. Demands also that UNITA cooperate fully with MONUA in the verification of its demilitarization;

5. Demands further that UNITA stop any attacks by its members on the personnel of MONUA, international personnel, the authorities of the GURN, including the police, and the civilian population;

6. Urges the GURN to continue to refrain from any action, including the excessive use of force, which might undermine the process of normalization of State administration, encourages the GURN to make use of UNITA personnel, as appropriate and in accordance with the provisions of the Lusaka Protocol, in areas to which State administration is extended, and encourages also the GURN to continue to give priority to peaceful actions that contribute to the successful conclusion of the peace process;

7. Also calls upon the GURN and in particular UNITA to avoid taking any action which might lead to renewed hostilities or undermine the peace process;

8. Stresses the importance of strengthening the rule of law, including the full protection of all Angolan citizens throughout the national territory;

9. Calls upon the GURN and in particular UNITA to guarantee unconditionally the safety, security and freedom of movement of all United Nations and international personnel;

10. Requests the Secretary-General to redeploy MONUA personnel immediately and as appropriate to support and facilitate the extension of State administration throughout the national territory, including in particular in Andulo, Bailundo, Mungo and Nharea, and calls upon UNITA to cooperate fully in this regard;

B

Recalling paragraph 9 of resolution 1127 (1997),

Determining that the current situation in Angola constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

11. Decides that all States, except Angola, in which there are funds and financial resources, including any funds derived or generated from property of UNITA as an organization or of senior officials of UNITA or adult members of their immediate families designated pursuant to paragraph 11 of resolution

1127 (1997), shall require all persons and entities within their own territories holding such funds and financial resources to freeze them and ensure that they are not made available directly or indirectly to or for the benefit of UNITA as an organization or of senior officials of UNITA or adult members of their immediate families designated pursuant to paragraph 11 of resolution 1127 (1997);

12. Decides also that all States shall take the necessary measures:

(a) to prevent all official contacts with the UNITA leadership in areas of Angola to which State administration has not been extended, except for those by representatives of the GURN, of the United Nations and of the Observer States to the Lusaka Protocol;

(b) to prohibit the direct or indirect import from Angola to their territory of all diamonds that are not controlled through the Certificate of Origin regime of the GURN;

(c) to prohibit, upon notification by the Chairman of the Committee created pursuant to resolution 864 (1993) to all Member States of guidelines approved by that Committee, the sale or supply to persons or entities in areas of Angola to which State administration has not been extended, by their nationals or from their territory, or using their flag vessels or aircraft, of equipment used in mining or mining services;

(d) to prohibit, upon notification by the Chairman of the Committee created pursuant to resolution 864 (1993) to all Member States of guidelines approved by that Committee, the sale or supply to persons or entities in areas of Angola to which State administration has not been extended, by their nationals or from their territory, or using their flag vessels or aircraft, of motorized vehicles or watercraft or spare parts for such vehicles, or ground or waterborne transportation services;

13. Decides further that the Committee created pursuant to resolution 864 (1993) may authorize, on a case-by-case basis, upon a no-objection procedure, exemptions to the measures specified in paragraphs 11 and 12 above for verified medical and humanitarian purposes;

14. Decides that the measures specified in paragraphs 11 and 12 above shall come into force without further notice at 00.01 Eastern Daylight Time on 25 June 1998, unless the Security Council decides, on the basis of a report by the Secretary-General, that UNITA has fully complied by 23 June 1998 with all its obligations under paragraph 2 of this resolution;

15. Expresses its readiness to review the measures specified in paragraphs 11 and 12 above and in paragraph 4 of resolution 1127 (1997) and terminate them, if the Secretary-General reports at any time that UNITA has fully complied with all its relevant obligations;

16. Expresses also its readiness to consider the imposition of further additional measures if UNITA does not fully comply with its obligations under

the "Acordos de Paz", the Lusaka Protocol and relevant Security Council resolutions;

17. Calls upon all States and all international and regional organizations to act strictly in accordance with the provisions of this resolution notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the date of adoption of this resolution;

18. Also calls upon all States to implement strictly the measures imposed in paragraphs 19, 20, and 21 of resolution 864 (1993) and paragraph 4 of resolution 1127 (1997), as well as to comply with paragraph 6 of resolution 1127 (1997);

C

19. Requests the GURN to designate, and to notify to the Committee created pursuant to resolution 864 (1993), the areas of Angola to which State administration has not been extended;

20. Requests the Committee created pursuant to resolution 864 (1993):

(a) to draw up guidelines expeditiously for the implementation of paragraphs 11 and 12 above and to consider ways and means for further strengthening the effectiveness of the measures adopted by the Council in its previous resolutions;

(b) to report to the Council by 31 July 1998 regarding the actions taken by States to implement the measures specified in paragraphs 11 and 12 above;

21. Requests Member States to provide to the Committee created pursuant to resolution 864 (1993), no later than 15 July 1998, information on the measures they have adopted to implement the provisions of paragraphs 11 and 12 above;

22. Requests also Member States having information about any violations of the provisions of this resolution to provide this information to the Committee created pursuant to resolution 864 (1993) for distribution to Member States;

23. Decides to remain actively seized of the matter.